

Ontario
Gov't.P.







LEGISLATIVE ASSEMBLY OF ONTARIO

FIRST SESSION OF THE
TWENTY-SIXTH PARLIAMENT

BILLS

AS INTRODUCED IN THE HOUSE

TOGETHER WITH

REPRINTS AND THIRD READINGS

SESSION

JANUARY 26th to APRIL 12th, 1960

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FIRST SESSION, TWENTY-SIXTH PARLIAMENT

January 26th to April 12th, 1960

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BILL Pr1

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Township of Kingston

MR. SIMONETT

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr1

1960

An Act respecting the Township of Kingston

WHEREAS The Corporation of the Township of Kingston ^{Preamble} by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation of the Township of Kingston shall ^{Debenture by-law authorized} pass a by-law, without obtaining the approval of the Ontario Municipal Board and without the recital of the Ontario Municipal Board approval therein, to borrow the sum of \$44,125 upon debentures made payable in not more than fifteen years for expenditure by the Board of Trustees of the Township of Kingston School Area for building an addition to Holsgrove Public School at Westbrook, and the by-law when duly passed shall be legal, valid and binding upon the Corporation.

2. The sums required to be raised in each year under such ^{Mode of levy} by-law shall be levied and collected upon the taxable property of the public school supporters of the Township of Kingston.

3. This Act comes into force on the day it receives Royal ^{Commence-ment} Assent.

4. This Act may be cited as *The Township of Kingston* ^{Short title} Act, 1960.

An Act respecting
the Township of Kingston

1st Reading

2nd Reading

3rd Reading

MR. SIMONETT

(Private Bill)

BILL Pr1

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Township of Kingston

MR. SIMONETT

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr1

1960

An Act respecting the Township of Kingston

WHEREAS The Corporation of the Township of Kingston by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation of the Township of Kingston shall pass a by-law, without obtaining the approval of the Ontario Municipal Board and without the recital of the Ontario Municipal Board approval therein, to borrow the sum of \$44,125 upon debentures made payable in not more than fifteen years for expenditure by the Board of Trustees of the Township of Kingston School Area for building an addition to Holsgrove Public School at Westbrook, and the by-law when duly passed shall be legal, valid and binding upon the Corporation. Debenture
by-law
authorized
2. This Act comes into force on the day it receives Royal Assent. Commence-
ment
3. This Act may be cited as *The Township of Kingston Act, 1960*. Short title

An Act respecting
the Township of Kingston

1st Reading

February 4th, 1960

2nd Reading

3rd Reading

MR. SIMONETT

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr1

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the Township of Kingston

MR. SIMONETT

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr1

1960

An Act respecting the Township of Kingston

WHEREAS The Corporation of the Township of Kingston by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation of the Township of Kingston shall pass a by-law, without obtaining the approval of the Ontario Municipal Board and without the recital of the Ontario Municipal Board approval therein, to borrow the sum of \$44,125 upon debentures made payable in not more than fifteen years for expenditure by the Board of Trustees of the Township of Kingston School Area for building an addition to Holsgrove Public School at Westbrook, and the by-law when duly passed shall be legal, valid and binding upon the Corporation.

2. This Act comes into force on the day it receives Royal Assent.

3. This Act may be cited as *The Township of Kingston Act, 1960*.

BILL Pt 1

An Act respecting
the Township of Kingston

1st Reading

February 4th, 1960

2nd Reading

February 26th, 1960

3rd Reading

March 3rd, 1960

MR. SIMONETT

BILL Pr2

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting The Kapuskasing District High School Board

MR. BRUNELLE

(PRIVATE BILL)

BILL Pr2

1960

**An Act respecting
The Kapuskasing District High School Board**

WHEREAS The Kapuskasing District High School ^{Preamble}
Board by its petition has prayed for special legislation
in respect of the matters hereinafter set forth; and whereas it
is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. In this Act,

<sup>Interpre-
tation</sup>

- (a) "Board" means The Kapuskasing District High School Board;
- (b) "Minister" means the Minister of Education;
- (c) "teachers" means teachers employed by the Board.

2. Notwithstanding anything in *The Secondary Schools and Boards of Education Act, 1954*, the Board has full power, ^{Housing accommodation, 1954, c. 87}
subject to the approval of the Minister, to build and sell
housing accommodation to teachers.

3. This Act comes into force on the day it receives Royal <sup>Commence-
ment</sup>
Assent.

4. This Act may be cited as *The Kapuskasing District High School Board Act, 1960*. ^{Short title}

An Act respecting
The Kapuskasing District
High School Board

1st Reading

February 4th, 1960

2nd Reading

3rd Reading

MR. BRUNELLE

(Private Bill)

BILL Pr3

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Town of Arnprior

MR. HAMILTON

(PRIVATE BILL)

BILL Pr3

1960

An Act respecting the Town of Arnprior

WHEREAS The Corporation of the Town of Arnprior, ^{Preamble} herein called the Corporation, by its petition has represented that the council of the Town of Arnprior has constructed as local improvements, pursuant to the petition of the property owners concerned, the sidewalks, watermains, house service connections, gravel roads and sewers described in By-law No. 1827 of the Town of Arnprior and has constructed as local improvements, pursuant to the petition of the property owners concerned, the watermains and house service connections on Charles Street described in Schedule C hereto; and whereas the petitioner has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) By-law No. 1827, passed by the Corporation on the 16th day of April, 1958, set forth as Schedule A hereto, is hereby confirmed and declared to be legal, valid and binding upon the Corporation and the ratepayers thereof from the date of the passing of the by-law and, notwithstanding section 18 of By-law No. 1827, is effective on and after the date of the passing thereof without the consent of the Ontario Municipal Board. ^{Local improvement by-law validated}

(2) The council of the Corporation may pass a by-law, without obtaining the approval of the Ontario Municipal Board, ^{Debtenture by-law authorized}

- (a) to borrow the sum of \$20,425.20 upon debentures made payable in not more than fifteen years for expenditures for the local improvement undertakings referred to in By-law No. 1827 and any interest and charges relating to such by-law; and

- (b) to impose the special assessments upon the lands liable therefor, as set out in Schedule B hereto; and
- (c) to raise the Corporation's portion of such debt and interest thereon by a rate sufficient therefor upon all the rateable property in the municipality,

and the by-law when duly passed shall be legal, valid and binding upon the Corporation and the ratepayers thereof.

Local
improvement
by-law
authorized

2.—(1) The council of the Corporation may pass a by-law, without obtaining the approval of the Ontario Municipal Board,

- (a) to borrow the sum of \$16,000 upon debentures made payable in not more than fifteen years for a portion of the expenditures incurred in the construction of watermains and house service connections on Charles Street and any interest and charges relating thereto, as set out in Schedule C hereto; and
- (b) to raise the Corporation's portion of such debt as set out in Schedule C hereto and interest thereon by a rate sufficient therefor upon all the rateable property in the municipality,

and the by-law when duly passed shall be legal, valid and binding upon the Corporation and the ratepayers thereof.

Works
deemed
local
improvements
R.S.O. 1950,
c. 215

(2) The watermain and house service connections on Charles Street described in Schedule C hereto shall be deemed to have been constructed as local improvements under *The Local Improvement Act*.

Special
assessment
roll

(3) The council of the Corporation shall cause to be prepared special assessment rolls in the manner provided in *The Local Improvement Act*.

Court of
revision

(4) When the special assessment rolls have been prepared, the council of the Corporation shall cause to be held courts of revision and shall cause notice of the courts of revision to be given to each owner of property abutting on such work in accordance with the last revised assessment roll and notice of such courts of revision shall be published in accordance with the provisions of *The Local Improvement Act*.

Validity of
assessment
roll

(5) The clerk of the Corporation shall make such corrections in the special assessment rolls in respect of such work as are necessary to give effect to the decisions of the courts of revision and such rolls, when so corrected, shall be certified by the clerk and, when so certified, except in so far as they

may be further amended on appeal to the judge of the county court, such rolls and the special assessments shall be valid and binding upon all persons concerned and upon the lands specially assessed, and the works in respect of which such special assessment rolls have been made and certified shall be conclusively deemed to have been lawfully undertaken and proceeded with pursuant to and in accordance with the provisions of *The Local Improvement Act*.

(6) When the special assessments have become valid and ^{Special assessment} binding in accordance with subsection 5, the council of the Corporation is authorized to impose by by-law the special assessments set forth in the special assessment rolls upon the lands liable therefor as therein set forth.

(7) The special assessments in respect of the watermains ^{Term of special assessment} and house service connections with a sum sufficient to cover interest thereon at the rate of $6\frac{1}{2}$ per cent per annum shall be payable in fifteen equal annual instalments.

(8) The provisions of *The Local Improvement Act*, subject ^{Application of R.S.O. 1950, c. 215} to all by-laws, resolutions and agreements of the Corporation in effect on the respective dates the construction of each such work was commenced, except where inconsistent with this Act, apply to the preparation of such special assessment rolls, the holding of courts of revision and any other proceedings to be taken under this Act.

3. This Act comes into force on the day it receives Royal <sup>Commence-
ment</sup> Assent.

4. This Act may be cited as *The Town of Arnprior Act, 1960*. ^{Short title}

SCHEDULE A

THE CORPORATION OF THE TOWN OF ARNPRIOR

BY-LAW No. 1827

A BY-LAW to authorize the construction of an extension to the existing sewer system and the existing waterworks system and house service connections, sidewalks and gravel roads in the Town of Arnprior, the abutting owners paying one hundred per cent of all costs excepting the portion of costs to be borne by The Corporation of the Town of Arnprior as set out in *The Local Improvement Act*, R.S.O. 1950, chapter 215, section 23.

1. An extension to the existing sewer system in the Town of Arnprior on John Street from centre line of the thirteenth concession line of the Township of McNab to Edey Street, a distance of approximately 295 feet, at an estimated cost of \$2,061.12.

2. An extension to the existing waterworks system in the Town of Arnprior on John Street from the centre line of the thirteenth concession line of the Township of McNab to Edey Street, a distance of approximately 295 feet, at an estimated cost of \$1,980.55.

3. House service connections of John Street from the centre line of the thirteenth concession line of the Township of McNab to Edey Street, at an estimated cost of \$766.26.

4. An extension to the existing sidewalks in the Town of Arnprior five feet wide on John Street on both sides from centre line of the thirteenth concession of the Township of McNab to Edey Street a distance of 285 feet at an estimated cost of \$3,918.75.

5. An extension to the gravelled road in the Town of Arnprior on John Street from the centre line of the thirteenth concession line of the Township of McNab to Edey Street at an estimated cost of \$1,100.00.

6. An extension to the existing sewer system in the Town of Arnprior on Edey Street from lot one on Charles Street East a distance of 1,040 feet, at an estimated cost of \$9,589.80.

7. House service connections on Edey Street from lot No. 1 on Charles Street East a distance of 1,040 feet, at an estimated cost of \$3,025.00.

AND WHEREAS the owners have petitioned the Council to construct as a Local Improvement the work hereinafter described, and the Clerk has certified that the petitions are sufficient.

AND WHEREAS it is expedient to grant the prayer of the Petitioner in the manner hereinafter provided.

AND WHEREAS approval for the above works has been given by the Ontario Water Resources Commission, as per Certificates Nos. 57 B 567, 58 A 21, 58 A 22, dated March 28th, 1958.

THEREFORE The Municipal Council of The Corporation of The Town of Arnprior enacts as follows:

1. That an extension to the existing sewer system in the Town of Arnprior on John Street from centre line of the thirteenth concession line of the Township of McNab to Edey Street, a distance of approximately 295 feet, at an estimated cost of \$2,061.12; and

2. That an extension to the existing waterworks system in the Town of Arnprior on John Street from the centre line of the thirteenth concession line of the Township of McNab to Edey Street, a distance of approximately 295 feet, at an estimated cost of \$1,980.55; and

3. That house service connections on John Street from the centre line of the thirteenth concession line of the Township of McNab to Edey Street, at an estimated cost of \$766.26; and

4. That an extension to the existing sidewalks in the Town of Arnprior, five feet in width, on John Street on both sides from the centre line of the thirteenth concession of the Township of McNab to Edey Street, a distance of 285 feet, at an estimated cost of \$3,918.75; and

5. That an extension to the existing gravelled road in the Town of Arnprior on John Street from the centre line of the thirteenth concession line of the Township of McNab to Edey Street at an estimated cost of \$1,100.00; and

6. That an extension to the existing sewer system in the Town of Arnprior on Edey Street from lot 1 on Charles Street East a distance of 1,040 feet, at an estimated cost of \$9,589.80; and

7. That house service connections on Edey Street from lot No. 1 on Charles Street East a distance of 1,040 feet, at an estimated cost of \$3,025.00, be constructed as a local improvement under the provisions of *The Local Improvement Act*, the abutting owners paying one hundred percent of all costs excepting the portion of costs to be borne by The Corporation of the Town of Arnprior as set out in *The Local Improvement Act*, R.S.O. 1950, chapter 215, section 23.

8. That the Engineer of the Corporation, namely, W. F. Frieday, do forthwith make such plans, profiles, and specifications and furnish such information as may be necessary for the making of a contract for the execution of the work, or for the carrying on and executing of the work by day labour.

9. The work shall be carried on and executed under the superintendent and according to the directions and orders of the said Engineer.

10. The Mayor (or Reeve) and Clerk are authorized to cause a contract for the construction of the work to be made and entered into with some person or persons, firm or corporation, subject to the approval of this Council to be declared by resolution (unless this Council decides by resolution to carry on and execute the work by day labour, in which event the work shall be carried on and executed by day labour).

11. The Treasurer may (subject to approval of Council) agree with any bank or person for temporary advance of money to meet the cost of the work pending the completion of it.

12. The special assessment shall be paid by fifteen annual instalments for all work hereinbefore referred to pursuant to *The Local Improvement Act*, except the construction of the gravelled roads which shall be paid by five annual instalments.

13. The cost of the work referred to excluding the gravelled roads is estimated at \$21,341.48.

14. The debentures to be issued for the loan to be effected to pay for the cost of the work, except the gravelled roads, when completed shall bear interest at six percent and be made payable within fifteen years on the instalment plan.

15. The cost of the construction of the gravelled roads is estimated at \$1,100.00.

16. The debentures to be issued for the loan to be effected to pay for the cost of the gravelled roads when completed shall bear interest at six percent and be made payable within five years on the instalment plan.

17. Any person whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon by paying the portion of the cost of construction assessed upon such lot, without the interest, forthwith after the special assessment roll has been certified by the Clerk, and at any time thereafter by the payment of such sum as when invested at six percent per annum will provide an annuity sufficient to pay the special rates for the unexpired portion of the term as they fall due.

18. This by-law shall take effect after it shall have received the consent of the Municipal Board.

READ A FIRST AND SECOND TIME this 26th day of November, 1957.

R. M. SIMPSON,
Mayor.

W. J. THOMPSON,
Clerk-Treasurer.

READ A THIRD TIME short and passed this 16th day of April, 1958.

R. M. SIMPSON,
Mayor.

W. J. THOMPSON,
Clerk-Treasurer.

SCHEDULE B

RECAPITULATION OF CHARGES — JOHN ST.

PLAN No. 301

Lot No.	Sewer	Water	House Service Connect's	Sidewalks	Total	Annual Payment 15 Years	Roads	Annual Payment 5 Years	Combined Per Lot First 5 Years	Last 10 Years
39	\$163.88	\$ 80.51	\$102.69	\$186.11	\$533.19	\$56.70	\$ 92.86	\$22.35	\$ 79.05	\$56.70
40	189.88	93.22	102.69	215.49	601.28	63.95	107.53	25.88	89.83	63.95
41	189.88	93.22	102.69	215.49	601.28	63.95	107.53	25.88	89.83	63.95
42	17.95	8.81	.....	20.37	47.13	5.01	10.16	2.44	7.45	5.01
42	172.62	84.75	102.69	195.90	555.96	59.13	97.75	23.52	82.65	59.13
*44	290.35	142.55	102.69	329.50	865.09	92.00	164.42	39.57	131.57	92.00
45	159.39	78.31	102.69	181.01	521.40	55.45	90.32	21.73	77.18	55.45
*43	207.15	101.70	102.69	235.08	646.62	68.77	117.30	28.23	97.00	68.77

RECAPITULATION OF CHARGES—EDEY STREET

PLAN No. 301

Lot No.	Sewer	House Service Connections	Total	Annual 15 Years
36.....	.....	\$123.60	\$ 123.60	\$ 13.15
37.....	.....	123.60	123.60	13.15
38.....	.....	123.60	123.60	13.15
39.....	.....	.....	.....	.....
45.....	\$ 246.90	.....	246.90	26.26
46.....	29.62	.....	29.62	3.15
46.....	218.10	123.60	341.70	36.34
47.....	52.25	.....	52.25	5.56
47.....	305.73	123.61	429.34	45.66
Block A.....	1,859.98	.....	1,859.98	197.81
E. pt. 13—30'.	123.45	.....	123.45	13.13
14.....	246.90	123.61	370.51	39.40
15.....	246.90	123.61	370.51	39.40
16.....	205.75	123.61	329.36	35.03
17.....	205.75	123.61	329.36	35.03
18.....	246.90	123.60	370.50	39.40
19.....	246.90	123.60	370.50	39.40
20.....	246.90	123.60	370.50	39.40
21.....	246.90	123.60	370.50	39.40
22.....	246.90	123.60	370.50	39.40
23.....	246.90	123.60	370.50	39.40
24.....	246.90	123.60	370.50	39.40
25.....	31.69	.....	31.69	3.37

SUMMARY BY-LAW No. 1827

	Labour	Machine	Material	Engineering 5 per cent	Interest and Cont.	Property Owners' Share	Corporation Share	TOTAL
JOHN STREET								
Sewer.....	\$170.30	\$ 71.88	\$1,608.33	\$ 92.53	\$ 400.00	\$1,391.10	\$ 951.94	\$ 2,343.04
Water.....	52.25	47.55	928.90	51.44	222.70	683.07	619.77	1,302.84
House Service Connections.....	85.45	23.40	459.05	28.40	122.53	718.83	.....	718.83
Sidewalks.....	710.38	105.75	824.98	84.31	364.69	1,578.95	556.16	2,135.11
Gravel Roads.....	56.05	53.55	702.64	40.61	175.50	787.87	240.48	1,028.35
					<u>\$1,285.42</u>	<u>\$5,159.82</u>	<u>\$2,368.35</u>	<u>\$7,528.17</u>
EDEY STREET								
Sewer.....	192.25	96.56	8,867.34	457.81	1,980.22	5,501.32	6,092.86	11,594.18
House Service Connections.....	197.75	23.61	1,340.28	77.98	338.03	1,977.65	.....	1,977.65
TOTAL BY-LAW No. 1827..					<u>\$3,603.67</u>	<u>\$12,638.79</u>	<u>\$8,461.21</u>	<u>\$21,100.00</u>

SCHEDULE C

Description of Work—

10" cast iron Water Main and House Service Connections

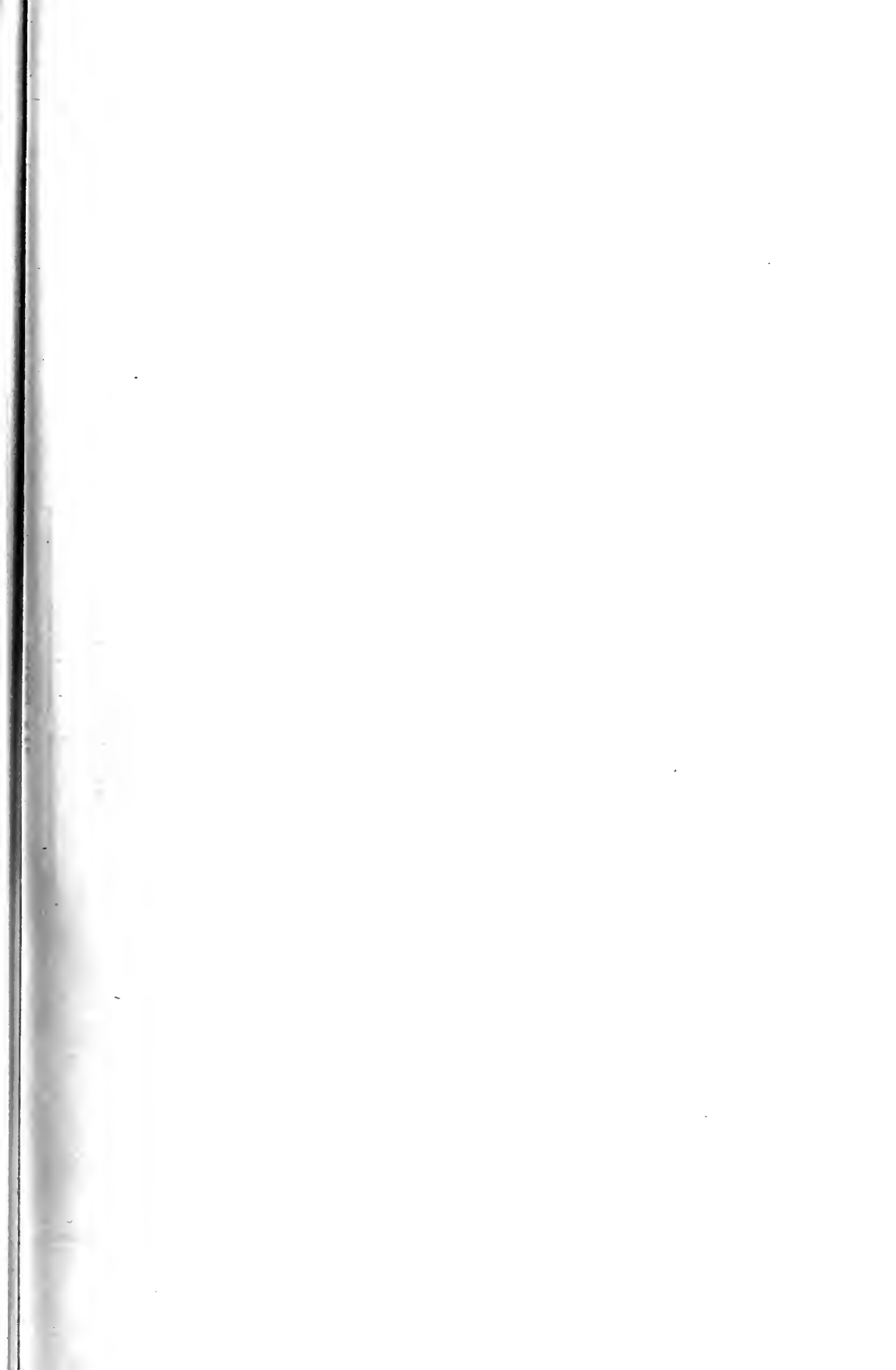
*Location—*Charles Street, Registered Plan No. 129, from King's
Highway No. 17 to the Easterly limit of Charles
Street, a distance of 1,740 feet.

TOTAL COST (Based on 6" cast iron water main)..... \$16,000.00

DISTRIBUTION OF COST

Property Owners' Share.....	\$ 7,923.56
Corporation Share.....	8,076.44
	<u>\$16,000.00</u>





An Act respecting the
Town of Arnprior

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. HAMILTON

(*Private Bill*)

BILL Pr4

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the City of Sarnia

MR. JANES

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr4

1960

An Act respecting the City of Sarnia

WHEREAS The Corporation of the City of Sarnia, Preamble herein called the Corporation, by its petition has represented that Sarnia Transit Company Limited, herein called the Company, is operating a bus transportation system in the City of Sarnia under the terms of an Agreement granting to the Company a franchise to operate a bus transportation system in the City of Sarnia, and that a by-law to authorize the execution of the Agreement by the Corporation was assented to on the 29th day of June, 1959, by the municipal electors of the City of Sarnia qualified to vote on money by-laws; and whereas the petitioner has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 4653, passed by the council of the Corpora- By-law and bus franchise agreement confirmed tion on the 27th day of July, 1959, and the Agreement scheduled thereto, dated the 1st day of August, 1959, and made between the Corporation and the Company, granting to the Company an exclusive franchise to operate a bus transportation system in the City of Sarnia upon and subject to the terms and conditions set forth in the Agreement, both as set forth in the Schedule hereto and as amended by this Act, are and each of them is hereby confirmed and declared to be and to have been on and after the 1st day of August, 1959, legal, valid and binding upon the parties thereto and their respective successors and assigns; and the Corporation is hereby authorized and empowered to pass such by-laws, to enter into such other agreements and to do such other matters and things as may be deemed necessary by the Corporation for the full and proper carrying out of the provisions of the Agreement.

2. Clause *d* of section 4 and section 11 of the Agreement in Agreement amended the Schedule are hereby struck out.

Exclusive
authority

3. No person other than the Company shall, during the term of the Agreement in the Schedule, operate a local passenger transportation service within the City of Sarnia, with the exception of steam railways, taxis not operated as jitneys, buses owned and operated by a board of education, school board or private school, and buses owned and operated by any corporation or organization solely for the purposes of the corporation or organization provided no fare or fee is charged for transportation.

R.S.O. 1950,
c. 20,
to apply

4. *The Arbitration Act* applies to every arbitration under section 12 of the Agreement in the Schedule and the board of arbitration shall consist of three persons, one appointed by each of the parties to the said Agreement and the third by the two arbitrators so appointed.

By-law and
agreement
confirmed

5. By-law No. 4476 of the Corporation and the Agreement attached thereto, dated the 15th day of August, 1958, between the Corporation and the Company are hereby confirmed and declared to be and to have been legal, valid and binding on the Corporation and the Company from the respective dates thereof.

Commence-
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. This Act may be cited as *The City of Sarnia Act, 1960*.

SCHEDULE

BY-LAW No. 4653

- A BY-LAW to authorize the execution of an Agreement between The Corporation of the City of Sarnia and Sarnia Transit Company Limited granting the said Company the exclusive right and franchise to maintain and operate buses for the conveyance of passengers in the City of Sarnia for a period of ten years commencing on September 1st, 1959, on the terms set out in the said Agreement.

The Municipal Council of The Corporation of the City of Sarnia enacts as follows:

1. That the proposed Agreement to be dated as of the 1st day of August, 1959, between The Corporation of the City of Sarnia and Sarnia Transit Company Limited granting to Sarnia Transit Company Limited the exclusive right and franchise to maintain and operate buses for the conveyance of passengers within the limits of the City of Sarnia for a period of ten years commencing on the 1st day of September, 1959, (a copy of which Agreement is set out in the Schedule annexed hereto and forming part of this By-law) is hereby approved and authorized.

2. That the Mayor and the Clerk of The Corporation of the City of Sarnia be and they are hereby authorized and directed to execute and deliver the said Agreement on behalf of The Corporation of the City of Sarnia and to affix the Corporate Seal of the Corporation thereto.

PASSED this 27th day of July, 1959.

(Sgd.) I. F. WALKER,
Mayor.

SEAL

(Sgd.) G. A. M. THOMAS,
Clerk.

SCHEDULE TO BY-LAW NO. 4653

MEMORANDUM OF AGREEMENT made as of the 1st day of August, 1959.

BETWEEN:

THE CORPORATION OF THE CITY OF SARNIA,
(hereinafter called the "City"),

OF THE FIRST PART,

—and—

SARNIA TRANSIT COMPANY LIMITED,
(hereinafter called the "Company"),

OF THE SECOND PART.

WHEREAS immediately prior to the 1st day of September, 1958, the City was without any public passenger transportation system;

AND WHEREAS the City and the Company entered into an agreement under which the Company has and is providing, operating and maintaining an adequate and efficacious public transportation system in the City for a period of one year from the 1st day of September, 1958;

AND WHEREAS it is desirable that the said transportation system should be continued for a further period of ten years;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto have agreed as follows:

1. Subject to the assent of the municipal electors of the City as required under *The Municipal Franchises Act*, the City hereby grants to the Company the exclusive right and franchise to maintain and operate buses for the conveyance of passengers within the limits of the City as such limits may, from time to time, exist, for a period of ten years from the 1st day of September, 1959, to the 31st day of August, 1969, both dates inclusive.

2. The Company shall provide an adequate and efficacious transportation system.

3. The rates for fares and charges to be charged by the Company initially shall be as set forth in the Schedule hereto and shall be collected by and belong exclusively to the Company.

4. The City shall implement the establishment of an efficacious service by taking all steps necessary or desirable to that end, including, without limiting the generality of the foregoing:

- (a) Granting authority for the establishment and enforcement of recognized bus stops evidenced by signs for the exclusive use of buses;
- (b) Granting authority for and enforcing the prohibition of parking within bus stop areas during the periods of bus operation by the Company;
- (c) Assuring the co-operation of the Police Force of the City in the expeditious movement of buses, particularly during rush hours, and when detours become necessary due to fires or other causes;
- (d) Prohibiting the use of taxis, private cars or other vehicles operating as jitneys on the streets of the City.

5. The Company shall not operate a bus route on any street of the City without first obtaining the consent of the City to operate on such street.

6. The Company, however, shall have the right to manage its business and run its buses on such schedules, at such times and on such routes as it may deem to be in the best interests of the transportation service.

7. The Company shall establish the tariff of fares and charges as set out in the Schedule hereto and agrees that these shall not be changed by the Company without prior notification to the Council of the City, and, except by order of the Ontario Municipal Board on application to it, without the concurrence of the Council of the City. It is understood and agreed that, notwithstanding anything contained in paragraph 16 hereof, any decision of the Ontario Municipal Board affecting the tariff of fares and charges shall not preclude the Company from making more than one application during the term of this agreement to change the tariff of fares and charges. It is further understood and agreed that the Company will not make an application for a change in the tariff of fares and charges more often than once in any period of twelve months without the concurrence of the Council of the City.

8. It is understood and agreed that the revenues and expenses pertaining to the operation of charter, interurban or special trips operated by the Company are excluded from the provisions of this agreement.

9. The City shall be responsible for the repair and maintenance of roadways, curbs and sidewalks on bus routes and at bus stops, and for the removal of snow and ice from bus routes and at bus stops, and the cost of such maintenance, repair or removal shall be borne by the City.

10. The City shall pay to the Company for the transportation service for the period from the 1st day of September, 1959, to the 31st day of August, 1964, the sum of Seven Thousand Dollars (\$7,000.00) per month, which sum shall be payable on the 1st day of each month, during the said period. Within six months after the 1st day of September, 1964, either party may notify the other party that an adjustment in the amount of the monthly payment for transportation is required. In the event that the parties are unable to agree upon an adjustment of the said amount within one month after the receipt of such notice, the provisions of Section 16 of this agreement shall apply to such disagreement. Until such time as a re-adjustment is made in the amount of the monthly payment, the amount being paid each month shall continue to be paid by the City to the Company during the remainder of the term of franchise hereby granted. The said amounts, paid to provide for transportation, shall be met by a special rate levied on all the rateable property in the City of Sarnia.

11. The Company shall only be liable for the usual realty, local improvement and business taxes levied from time to time on all taxpayers in the City. The City shall not assess and the Company shall not be subjected to or be liable for any franchise tax or for any special or unusual tax levied against it by the City.

12. On one year's prior written notice to the Company, the City in any year during the term of the franchise may purchase the transportation system maintained and operated by the Company, by payment in full of the purchase price for all the then outstanding issued shares in the capital stock of the Company. The purchase price shall be determined by a *Board of Arbitration* three months before the effective date of the purchase of the transportation system by the City. The Board of Arbitration shall determine the value of the property of the Company on the basis of the actual value thereof, without regard to the way in which it is being used, its cost or its book value, or the net revenue received therefrom. To such value shall be added the sum of seventy-five thousand dollars (\$75,000.00) as a fee payment for the establishment of the transportation system in the City by the Company. The total of these two amounts shall constitute the purchase price to be paid for all the then outstanding issued shares in the capital stock of the Company.

13. The Company covenants and agrees that during the term of the franchise it will not cease its operations in the City without giving six months' prior written notice to the City of the Company's intention to

cease operations in the City. During the period of three months following the giving of any such notice the City may purchase the transportation system maintained and operated by the Company by payment in full of the purchase price for all the then outstanding issued shares in the capital stock of the Company. The said purchase price shall be determined by a Board of Arbitration in the manner provided in paragraph 12 hereof, except that the sum of seventy-five thousand dollars (\$75,000.00) referred to in paragraph 12 shall not be added to the purchase price.

14. The Company shall not be held to be in default hereunder for failure to operate, if such failure is the result of fire, act of God, strike or other cause beyond the control of the Company, and, in the event of such an occurrence, the City shall not be liable to pay the Company the equivalent portion of the payment required under paragraph 10 hereof pro-rated on a day to day basis during the period in which the Company has ceased to operate.

15. The Company shall at all times during the said term indemnify and save harmless the City, should the City be held in any way liable for the operation of the Company's buses and shall protect itself with an insurance policy or policies against accidents or liability to the public and/or passengers, and for property damage, as required by *The Highway Traffic Act* of the Province of Ontario and Regulations made thereunder, and *The Public Vehicle Act*, or any other law of the Province of Ontario, and the Company shall produce to the Council at a meeting held not later than the 1st day of March in every year every policy or guaranteed contract so made.

16. Any dispute between the City and the Company, including any dispute respecting service or the interpretation of this agreement, shall be referred to and determined by the Ontario Municipal Board, whose decision shall be final and binding on the parties hereto and from which decision there shall be no appeal.

17. The City shall immediately take all necessary action to make this agreement legal, valid and binding upon the parties hereto, including, without limiting the generality of the foregoing, the enactment of a By-law and the submission of the same, pursuant to *The Municipal Franchises Act*, to the municipal electors of the City for their assent thereto and if the assent of the electors is given, the City shall apply to the Legislature of the Province of Ontario as its next regular session for legislation confirming and ratifying this agreement, and declaring the same to be legal, valid and binding upon the parties hereto. The expense of such application and legislation shall be borne by the Company.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their respective seals under the hands of their proper officers duly authorized in that behalf.

SIGNED, SEALED AND
DELIVERED

THE CORPORATION OF THE CITY OF SARNIA:

By I. J. WALKER,
Mayor.

G. A. M. THOMAS,
Clerk.

SARNIA TRANSIT COMPANY LIMITED:

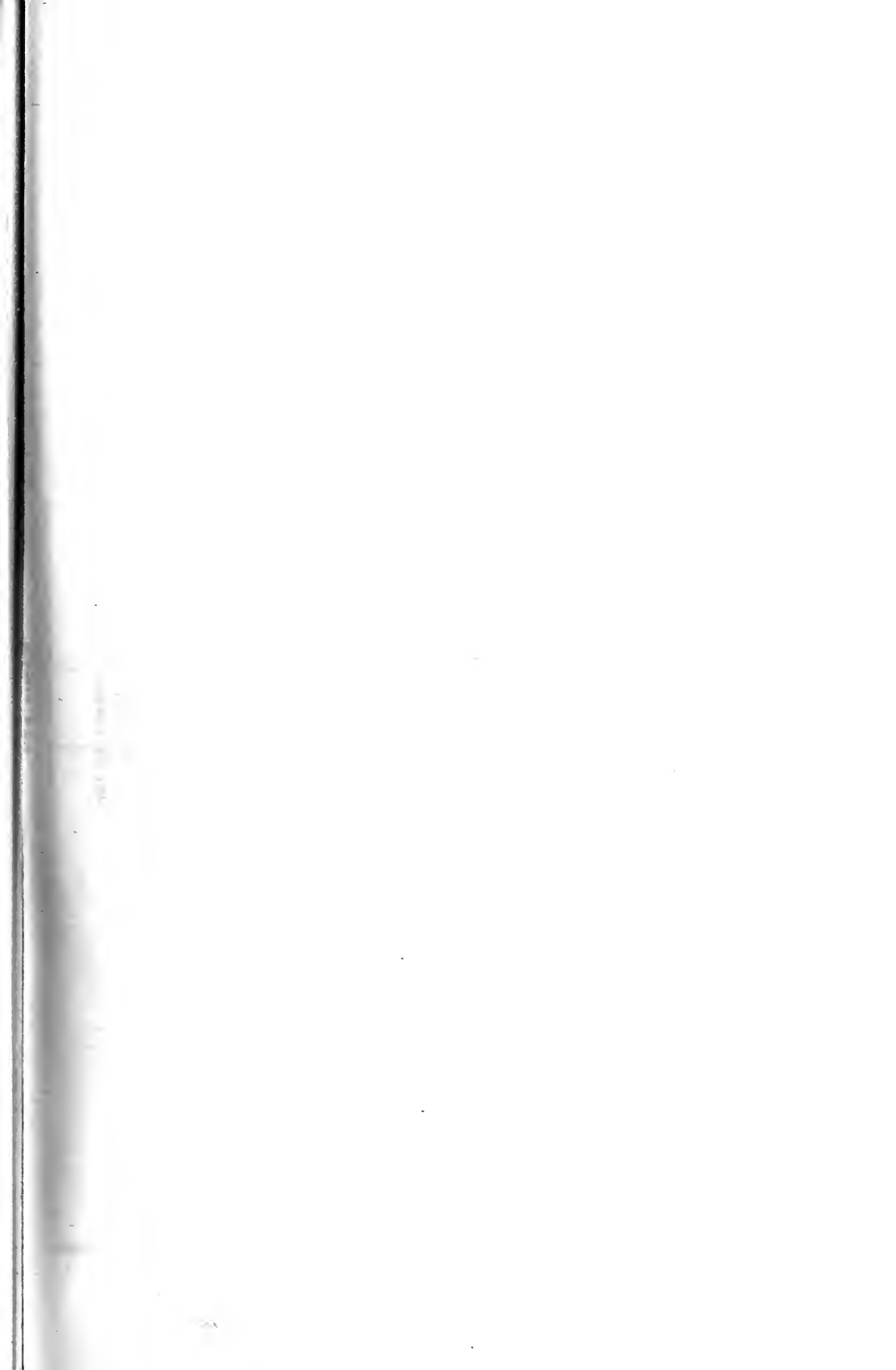
STANLEY TODD,
President.

J. A. LITTLE,
Secretary.

SCHEDULE TO AGREEMENT

FARES AND CHARGES

- (a) *Adults* — Cash fare of fifteen cents (15c.) or four tickets for fifty cents (50c.) to be sold in strips only.
- (b) *Children* — Cash fare of ten cents (10c.) or seven (7) tickets for fifty cents (50c.) to be sold in strips only.
- Children are defined as and shall mean only minors under fifty-four inches (54") in height. Children under three (3) years of age, if accompanied by an adult, shall be carried free.
- (c) *Tickets* — Each ticket shall be good for one fare.
- (d) *Transfers* — Free transfers shall be given as follows:
- One per fare, good for one continuous journey in one direction to destination within the City on all connecting buses of the Company within the City; but obtainable only at the time of payment of fare. Rolled up, crumpled or otherwise mutilated transfers which are not easily discernible, may be refused.
- (e) THE ABOVE FARES shall be charged and be payable on entering the Company's buses.



An Act respecting the
City of Sarnia

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. J. ANES

(*Private Bill*)

BILL Pr4

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Sarnia

MR. JANES

BILL Pr4

1960

An Act respecting the City of Sarnia

WHEREAS The Corporation of the City of Sarnia, Preamble herein called the Corporation, by its petition has represented that Sarnia Transit Company Limited, herein called the Company, is operating a bus transportation system in the City of Sarnia under the terms of an Agreement granting to the Company a franchise to operate a bus transportation system in the City of Sarnia, and that a by-law to authorize the execution of the Agreement by the Corporation was assented to on the 29th day of June, 1959, by the municipal electors of the City of Sarnia qualified to vote on money by-laws; and whereas the petitioner has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 4653, passed by the council of the Corpora- By-law and bus franchise agreement confirmed tion on the 27th day of July, 1959, and the Agreement scheduled thereto, dated the 1st day of August, 1959, and made between the Corporation and the Company, granting to the Company an exclusive franchise to operate a bus transportation system in the City of Sarnia upon and subject to the terms and conditions set forth in the Agreement, both as set forth in the Schedule hereto and as amended by this Act, are and each of them is hereby confirmed and declared to be and to have been on and after the 1st day of August, 1959, legal, valid and binding upon the parties thereto and their respective successors and assigns; and the Corporation is hereby authorized and empowered to pass such by-laws, to enter into such other agreements and to do such other matters and things as may be deemed necessary by the Corporation for the full and proper carrying out of the provisions of the Agreement.

2. Clause *d* of section 4 and section 11 of the Agreement in Agreement amended the Schedule are hereby struck out.

Exclusive
authority

3. No person other than the Company shall, during the term of the Agreement in the Schedule, operate a local passenger transportation service within the City of Sarnia, with the exception of steam railways, taxis not operated as jitneys, buses owned and operated by a board of education, school board or private school, and buses owned and operated by any corporation or organization solely for the purposes of the corporation or organization provided no fare or fee is charged for transportation.

R.S.O. 1950,
c. 20,
to apply

4. *The Arbitration Act* applies to every arbitration under section 12 of the Agreement in the Schedule and the board of arbitration shall consist of three persons, one appointed by each of the parties to the said Agreement and the third by the two arbitrators so appointed.

By-law and
agreement
confirmed

5. By-law No. 4476 of the Corporation and the Agreement attached thereto, dated the 15th day of August, 1958, between the Corporation and the Company are hereby confirmed and declared to be and to have been legal, valid and binding on the Corporation and the Company from the respective dates thereof.

Commence-
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. This Act may be cited as *The City of Sarnia Act, 1960*.

SCHEDULE

BY-LAW No. 4653

A BY-LAW to authorize the execution of an Agreement between The Corporation of the City of Sarnia and Sarnia Transit Company Limited granting the said Company the exclusive right and franchise to maintain and operate buses for the conveyance of passengers in the City of Sarnia for a period of ten years commencing on September 1st, 1959, on the terms set out in the said Agreement.

The Municipal Council of The Corporation of the City of Sarnia enacts as follows:

1. That the proposed Agreement to be dated as of the 1st day of August, 1959, between The Corporation of the City of Sarnia and Sarnia Transit Company Limited granting to Sarnia Transit Company Limited the exclusive right and franchise to maintain and operate buses for the conveyance of passengers within the limits of the City of Sarnia for a period of ten years commencing on the 1st day of September, 1959, (a copy of which Agreement is set out in the Schedule annexed hereto and forming part of this By-law) is hereby approved and authorized.

2. That the Mayor and the Clerk of The Corporation of the City of Sarnia be and they are hereby authorized and directed to execute and deliver the said Agreement on behalf of The Corporation of the City of Sarnia and to affix the Corporate Seal of the Corporation thereto.

PASSED this 27th day of July, 1959.

(Sgd.) I. F. WALKER,
Mayor.

SEAL

(Sgd.) G. A. M. THOMAS,
Clerk.

SCHEDULE TO BY-LAW No. 4653

MEMORANDUM OF AGREEMENT made as of the 1st day of August, 1959.

BETWEEN:

THE CORPORATION OF THE CITY OF SARNIA,
(hereinafter called the "City"),

OF THE FIRST PART,

—and—

SARNIA TRANSIT COMPANY LIMITED,
(hereinafter called the "Company"),

OF THE SECOND PART.

WHEREAS immediately prior to the 1st day of September, 1958, the City was without any public passenger transportation system;

AND WHEREAS the City and the Company entered into an agreement under which the Company has and is providing, operating and maintaining an adequate and efficacious public transportation system in the City for a period of one year from the 1st day of September, 1958;

AND WHEREAS it is desirable that the said transportation system should be continued for a further period of ten years;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto have agreed as follows:

1. Subject to the assent of the municipal electors of the City as required under *The Municipal Franchises Act*, the City hereby grants to the Company the exclusive right and franchise to maintain and operate buses for the conveyance of passengers within the limits of the City as such limits may, from time to time, exist, for a period of ten years from the 1st day of September, 1959, to the 31st day of August, 1969, both dates inclusive.

2. The Company shall provide an adequate and efficacious transportation system.

3. The rates for fares and charges to be charged by the Company initially shall be as set forth in the Schedule hereto and shall be collected by and belong exclusively to the Company.

4. The City shall implement the establishment of an efficacious service by taking all steps necessary or desirable to that end, including, without limiting the generality of the foregoing:

- (a) Granting authority for the establishment and enforcement of recognized bus stops evidenced by signs for the exclusive use of buses;
- (b) Granting authority for and enforcing the prohibition of parking within bus stop areas during the periods of bus operation by the Company;
- (c) Assuring the co-operation of the Police Force of the City in the expeditious movement of buses, particularly during rush hours, and when detours become necessary due to fires or other causes;
- (d) Prohibiting the use of taxis, private cars or other vehicles operating as jitneys on the streets of the City.

5. The Company shall not operate a bus route on any street of the City without first obtaining the consent of the City to operate on such street.

6. The Company, however, shall have the right to manage its business and run its buses on such schedules, at such times and on such routes as it may deem to be in the best interests of the transportation service.

7. The Company shall establish the tariff of fares and charges as set out in the Schedule hereto and agrees that these shall not be changed by the Company without prior notification to the Council of the City, and, except by order of the Ontario Municipal Board on application to it, without the concurrence of the Council of the City. It is understood and agreed that, notwithstanding anything contained in paragraph 16 hereof, any decision of the Ontario Municipal Board affecting the tariff of fares and charges shall not preclude the Company from making more than one application during the term of this agreement to change the tariff of fares and charges. It is further understood and agreed that the Company will not make an application for a change in the tariff of fares and charges more often than once in any period of twelve months without the concurrence of the Council of the City.

8. It is understood and agreed that the revenues and expenses pertaining to the operation of charter, interurban or special trips operated by the Company are excluded from the provisions of this agreement.

9. The City shall be responsible for the repair and maintenance of roadways, curbs and sidewalks on bus routes and at bus stops, and for the removal of snow and ice from bus routes and at bus stops, and the cost of such maintenance, repair or removal shall be borne by the City.

10. The City shall pay to the Company for the transportation service for the period from the 1st day of September, 1959, to the 31st day of August, 1964, the sum of Seven Thousand Dollars (\$7,000.00) per month, which sum shall be payable on the 1st day of each month, during the said period. Within six months after the 1st day of September, 1964, either party may notify the other party that an adjustment in the amount of the monthly payment for transportation is required. In the event that the parties are unable to agree upon an adjustment of the said amount within one month after the receipt of such notice, the provisions of Section 16 of this agreement shall apply to such disagreement. Until such time as a re-adjustment is made in the amount of the monthly payment, the amount being paid each month shall continue to be paid by the City to the Company during the remainder of the term of franchise hereby granted. The said amounts, paid to provide for transportation, shall be met by a special rate levied on all the rateable property in the City of Sarnia.

11. The Company shall only be liable for the usual realty, local improvement and business taxes levied from time to time on all taxpayers in the City. The City shall not assess and the Company shall not be subjected to or be liable for any franchise tax or for any special or unusual tax levied against it by the City.

12. On one year's prior written notice to the Company, the City in any year during the term of the franchise may purchase the transportation system maintained and operated by the Company, by payment in full of the purchase price for all the then outstanding issued shares in the capital stock of the Company. The purchase price shall be determined by a *Board of Arbitration* three months before the effective date of the purchase of the transportation system by the City. The Board of Arbitration shall determine the value of the property of the Company on the basis of the actual value thereof, without regard to the way in which it is being used, its cost or its book value, or the net revenue received therefrom. To such value shall be added the sum of seventy-five thousand dollars (\$75,000.00) as a fee payment for the establishment of the transportation system in the City by the Company. The total of these two amounts shall constitute the purchase price to be paid for all the then outstanding issued shares in the capital stock of the Company.

13. The Company covenants and agrees that during the term of the franchise it will not cease its operations in the City without giving six months' prior written notice to the City of the Company's intention to

cease operations in the City. During the period of three months following the giving of any such notice the City may purchase the transportation system maintained and operated by the Company by payment in full of the purchase price for all the then outstanding issued shares in the capital stock of the Company. The said purchase price shall be determined by a Board of Arbitration in the manner provided in paragraph 12 hereof, except that the sum of seventy-five thousand dollars (\$75,000.00) referred to in paragraph 12 shall not be added to the purchase price.

14. The Company shall not be held to be in default hereunder for failure to operate, if such failure is the result of fire, act of God, strike or other cause beyond the control of the Company, and, in the event of such an occurrence, the City shall not be liable to pay the Company the equivalent portion of the payment required under paragraph 10 hereof pro-rated on a day to day basis during the period in which the Company has ceased to operate.

15. The Company shall at all times during the said term indemnify and save harmless the City, should the City be held in any way liable for the operation of the Company's buses and shall protect itself with an insurance policy or policies against accidents or liability to the public and/or passengers, and for property damage, as required by *The Highway Traffic Act* of the Province of Ontario and Regulations made thereunder, and *The Public Vehicle Act*, or any other law of the Province of Ontario, and the Company shall produce to the Council at a meeting held not later than the 1st day of March in every year every policy or guaranteed contract so made.

16. Any dispute between the City and the Company, including any dispute respecting service or the interpretation of this agreement, shall be referred to and determined by the Ontario Municipal Board, whose decision shall be final and binding on the parties hereto and from which decision there shall be no appeal.

17. The City shall immediately take all necessary action to make this agreement legal, valid and binding upon the parties hereto, including, without limiting the generality of the foregoing, the enactment of a By-law and the submission of the same, pursuant to *The Municipal Franchises Act*, to the municipal electors of the City for their assent thereto and if the assent of the electors is given, the City shall apply to the Legislature of the Province of Ontario as its next regular session for legislation confirming and ratifying this agreement, and declaring the same to be legal, valid and binding upon the parties hereto. The expense of such application and legislation shall be borne by the Company.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their respective seals under the hands of their proper officers duly authorized in that behalf.

SIGNED, SEALED AND
DELIVERED

THE CORPORATION OF THE CITY OF SARNIA:

By I. J. WALKER,
Mayor.

G. A. M. THOMAS,
Clerk.

SARNIA TRANSIT COMPANY LIMITED:

STANLEY TODD,
President.

J. A. LITTLE,
Secretary.

SCHEDULE TO AGREEMENT
FARES AND CHARGES

- (a) *Adults* — Cash fare of fifteen cents (15c.) or four tickets for fifty cents (50c.) to be sold in strips only.
- (b) *Children* — Cash fare of ten cents (10c.) or seven (7) tickets for fifty cents (50c.) to be sold in strips only.

Children are defined as and shall mean only minors under fifty-four inches (54") in height. Children under three (3) years of age, if accompanied by an adult, shall be carried free.
- (c) *Tickets* — Each ticket shall be good for one fare.
- (d) *Transfers* — Free transfers shall be given as follows:

One per fare, good for one continuous journey in one direction to destination within the City on all connecting buses of the Company within the City; but obtainable only at the time of payment of fare. Rolled up, crumpled or otherwise mutilated transfers which are not easily discernible, may be refused.
- (e) **THE ABOVE FARES** shall be charged and be payable on entering the Company's buses.



An Act respecting the
City of Sarnia

1st Reading

February 11th, 1960

2nd Reading

March 8th, 1960

3rd Reading

March 17th, 1960

MR. JAMES

BILL Pr5

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting The Collegiate Institute Board of Ottawa

MR. HASKETT

(PRIVATE BILL)

BILL Pr5

1960

**An Act respecting
The Collegiate Institute Board of Ottawa**

WHEREAS The Collegiate Institute Board of Ottawa, ^{Preamble} herein called the Board, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Pension Plan established by the Board for its non- ^{Pension plan validated} teaching employees and effective as of the 1st day of July, 1953, as set forth in the Schedule hereto, and the payments made by the Board pursuant to the terms of such Pension Plan are hereby declared to be legal, valid and binding upon the Board and the ratepayers of The Corporation of the City of Ottawa.

2. The Board is hereby empowered to carry out all its ^{Future obligations} future obligations under such Pension Plan.

3. The Pension Plan may be amended only with the ap- ^{Amendment of plan} proval and consent of the Minister of Education.

4. This Act comes into force on the day it receives Royal ^{Commence-ment} Assent.

5. This Act may be cited as *The Ottawa Collegiate Institute* ^{Short title} *Board Act, 1960*.

SCHEDULE

COLLEGIATE INSTITUTE BOARD OF OTTAWA

EMPLOYEES' PENSION PLAN

1. *Commencement Date:*

The Plan will become effective on 1st July, 1953.

2. *Who May Join:*

Employees who are age 45 and over will join the Plan on 1st January or 1st July following completion of six months' service.

Entry to the Plan was voluntary for employees in the service of the Board on the Commencement Date. Employees joining the service of the Board after the Commencement Date will be required to join the Plan as a condition of service on 1st January or 1st July following the date on which they become eligible.

Employees, however, in the service of the Board on the Commencement Date who do not join the Plan when eligible must obtain the permission of the Board if they subsequently wish to join.

"Employees" means permanent non-teaching staff of the Board and does not include part-time, temporary or casual employees.

3. *How to Join:*

An employee, who is eligible to join the Plan, must complete an application form which authorizes the required deduction from his or her pay.

4. *Normal Pension Age:*

Normal Pension Age is attained on 1st July nearest to the 65th birthday.

5. *Amount of Pension:*

To find the annual amount of pension at Normal Pension Age multiply the number of complete years spent in each salary grade after joining the Plan, up to Normal Pension Age, for which contributions are paid, by the corresponding rate of pension shown in Column 3 of the Table on Schedule 1.

The sum of the above amounts gives the total annual pension payable from Normal Pension Age.

6. *How Pension is Payable:*

The pension at Normal Pension Age is payable by monthly instalments for a period of five years certain and so long thereafter as the pensioner shall live. This ensures that the return by way of pension will exceed the amount which the member was paid in contributions, as set out in Column (4) of the Table in Schedule 1. The first payment of pension will be made on the date on which Normal Pension Age is attained.

7. Early Retirement:

If a member retires with the consent of the Board within ten years before Normal Pension Age, he or she may take a smaller pension which would commence immediately. This pension is payable by monthly instalments for life, but as a minimum it will continue until the whole of the member's contributions to the Plan have been returned. This early retirement pension will include the full benefit of the Board's contributions paid prior to the date of retirement in respect of the member.

8. Late Retirement:

If, with the consent of the Board a member continues in its service after Normal Pension Age, no further contributions will be required but payment of pension may be postponed until actual retirement, with a maximum postponement of five years, for the purposes of the Plan. On that date an increased pension will become payable, the amount of the increase depending on the age at the date of retirement. This pension is payable by monthly instalments for a period of five years certain and so long thereafter as the pensioner shall live.

9. Joint Pension with Dependant:

At any time before Normal Pension Age a member may elect to take on retirement at Normal Pension Age a smaller pension payable during the joint lifetime of the member and a nominated dependant. This pension would not be payable for any minimum period but would continue in full until the death of the survivor.

10. Optional Combination of Pension with Old Age Pension:

In order to provide a level amount of pension, a member may elect to take on retirement at or after Normal Pension Age an increased pension under the Plan until age 70 and a decreased pension thereafter. The increase in pension before age 70 and the decrease in pension after age 70 will be based on the rate of Government Old Age Pension in force on the date the member retires and will be such that, when the Government Old Age Pension is added at age 70, the pensioner will receive a level amount of pension for life provided the amount of the Government Old Age Pension does not change after the date when the member retires.

This option is only available if the pension payable to the member under the terms of the Plan is large enough for such an adjustment to be made and if the increased pension is payable for at least twelve months.

11. Minimum Pension:

Should the pension payable under any provision of this Plan amount to less than \$30.00 per annum, the Assurance Company will require the member to take a cash settlement in lieu of pension payments.

12. Contributions:

Contributions by members are shown in Column (4) of the Table in Schedule 1 corresponding to each salary grade and will be deducted from salary weekly or monthly as the case may be. The balance of the cost of pension is borne by the Board.

13. Additional Voluntary Contributions:

In order to increase his or her pension, a member may on any 1st July undertake to make regular voluntary contributions until Normal Pension Age in addition to the contributions required by the member under Clause 12, provided that the member's total contributions under Clause 12 and under this Clause do not exceed \$1,500 in any calendar year.

14. *Income Tax Relief:*

Under the present Income Tax regulations contributions of members as outlined in Clauses 12 and 13 may be deducted from gross income to determine taxable income within the statutory limits.

15. *Death:*

A member may name a beneficiary to receive the amount payable in the event of his or her death and will be permitted to change the beneficiary from time to time provided there is no statutory restriction. If no beneficiary has been nominated or if the nominated beneficiary predeceases the member, any payment due under the Plan will be made to the member's executors, administrators or other personal representatives of his or her estate.

The amount payable in the event of a member's death shall be in accordance with the following:

(i) Death Before Retirement on Pension at Normal Pension Age:

If a member dies while in the service of the Company and before retirement at Normal Pension Age, a return will be made of the whole of the member's contributions without interest.

(ii) Death after Normal Pension Age but before Retirement on Pension:

If a member who has exercised the Late Retirement Option dies after Normal Pension Age but before retirement on pension, payment will be made of the value of five years' payments of the pension which would have been payable had the member retired on the date of death.

The member (or after the member's death, his or her spouse or dependant, being the nominated beneficiary) may elect that settlement be made under (i) or (ii) above in accordance with the following options:

- (a) in a lump sum; or
- (b) a life pension with or without a guaranteed period. The guaranteed period shall not exceed ten years; or
- (c) in instalments over a period not exceeding ten years. This option is only available to a beneficiary who is the member's spouse or dependant.

Any payment made to the member's estate will be made in a lump sum.

(iii) Death after Pension Payments have Commenced:

If a pensioner dies before receiving the total number of instalments guaranteed, payments will be continued until the end of the guaranteed period and shall then cease.

16. *Withdrawal:*

Employees' Contributions: If a member leaves the service of the Board before pension is payable the following options will be available to the member in respect of his or her contributions, subject to a decision being intimated to the Assurance Company within thirty days. If such intimation is not received the member will be deemed to have selected option (a).

- (a) The member may take a cash return of all his or her contributions;
or

- (b) the member may take a paid-up pension at Normal Pension Age for the amount secured by his or her contributions paid before leaving the service of the Board.

The Board's Contributions: A member who withdraws after not less than eleven years of service with the Board and who elects option (b) above will also receive the percentage shown in the scale below of pension purchased by the Board's contributions on his or her behalf up to the date of withdrawal, in the form of a paid-up pension at Normal Pension Age.

Years of Service with the Board	Percentage of Pension Purchased by the Board's Contributions
11	20%
12	40%
13	60%
14	80%
15	100%

A member cannot withdraw from the Plan while in the service of the Board.

17. *Temporary Absence:*

If a member is temporarily absent from active duty but is receiving full remuneration from the Board his or her contributions will be deducted in the usual way.

If a member is temporarily absent from active duty but is not receiving full remuneration, contributions may be discontinued during absence for a period of complete half-months, and a corresponding reduction made in the pension credited.

18. *Change of Salary Grade:*

Benefits and contribution rates do not alter during the year. Alteration in benefits and contribution rates will take effect on any 1st July when Annual Pay calculated as at that date entails a change in salary grade.

19. *Provision of Benefits:*

The Board accepts its obligations under the Plan and in order to provide the foregoing benefits will apply the members' and its own contributions to effect a group pension policy with The Standard Life Assurance Company, and the policy may be seen at the offices of the Board on application.

The Board will hold in trust for the benefit of members the group policy and will be credited, as a reduction in future premiums, with any sum paid by the Assurance Company in excess of the benefits allowed to a withdrawing employee. The Board's liability will be limited to the amounts paid by the Assurance Company corresponding to the member's benefits and options under the Plan.

Each member will receive a signed certificate of membership in the Plan.

20. *Assignment:*

The benefits and options under this Plan are unassignable whether by voluntary action or by operation of law.

21. *No Guarantee of Employment:*

Participation in the Plan shall not be construed as guaranteeing continuation in the service of the Board nor shall any provision or condition thereunder restrict the right of the Board to terminate the employment of any member.

22. *Proof of Age:*

Proof of Age will be required from all members on joining the Plan, and from any person who subsequently may be designated a joint pensioner. For married women, evidence of age must include a marriage certificate.

23. *Change of Plan:*

While the Board has every hope of maintaining the Plan in force, the right is reserved in the event of unforeseen circumstances to discontinue the Plan after six months' notice, or suspend or amend it from time to time on any anniversary of the Commencement Date, without prejudice, however, to the pension benefits secured by contributions already paid. Should the Plan be discontinued, no part of the benefits secured by the group policy shall be retained by the Board.

24. *Cash Option:*

In exceptional circumstances a member may request that a lump sum payment be made in lieu of pension payments, with the consent of the Board and subject to the approval of the Department of National Revenue.

*Schedule 1***TABLE OF BENEFITS AND EMPLOYEES' CONTRIBUTIONS**

Pensions and Contributions are payable according to the following scale:

Salary Grade (1)	Annual Pay (2)		Annual Pension at Normal Pension Age for each complete year of Future Service for which contributions are paid (3)	Employees' Contributions per month for future Service Benefits (4)
	Over	Up to and including		
A	\$.....	\$1,100	\$ 20.00	\$ 5.00
B	1,100	1,300	24.00	6.00
C	1,300	1,500	28.00	7.00
D	1,500	1,700	32.00	8.00
E	1,700	1,900	36.00	9.00
F	1,900	2,100	40.00	10.00
G	2,100	2,500	46.00	11.50
H	2,500	2,900	54.00	13.50
I	2,900	3,300	62.00	15.50
J	3,300	3,700	70.00	17.50
K	3,700	4,300	80.00	20.00
L	4,300	4,900	92.00	23.00
M	4,900	5,500	104.00	26.00

- (1) For the purposes of the Plan, "Annual Pay" means annual rate of earnings in force on 1st July in each year, excluding any payment for overtime, commission, bonuses and gifts.
- (2) Pensions and contributions for salary grades higher than "M" will be supplied on request.



An Act respecting The
Collegiate Institute Board of Ottawa

1st Reading

February 4th, 1960

2nd Reading

3rd Reading

MR. HASKETT

(Private Bill)

BILL Pr5

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

**An Act respecting
The Collegiate Institute Board of Ottawa**

MR. HASKETT

BILL Pr5

1960

**An Act respecting
The Collegiate Institute Board of Ottawa**

WHEREAS The Collegiate Institute Board of Ottawa, ^{Preamble} herein called the Board, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** The Pension Plan established by the Board for its non-teaching employees and effective as of the 1st day of July, 1953, as set forth in the Schedule hereto, and the payments made by the Board pursuant to the terms of such Pension Plan are hereby declared to be legal, valid and binding upon the Board and the ratepayers of The Corporation of the City of Ottawa. ^{Pension plan validated}
- 2.** The Board is hereby empowered to carry out all its future obligations under such Pension Plan. ^{Future obligations}
- 3.** The Pension Plan may be amended only with the approval and consent of the Minister of Education. ^{Amendment of plan}
- 4.** This Act comes into force on the day it receives Royal Assent. ^{Commencement}
- 5.** This Act may be cited as *The Ottawa Collegiate Institute Board Act, 1960*. ^{Short title}

SCHEDULE

COLLEGIATE INSTITUTE BOARD OF OTTAWA

EMPLOYEES' PENSION PLAN

1. *Commencement Date:*

The Plan will become effective on 1st July, 1953.

2. *Who May Join:*

Employees who are age 45 and over will join the Plan on 1st January or 1st July following completion of six months' service.

Entry to the Plan was voluntary for employees in the service of the Board on the Commencement Date. Employees joining the service of the Board after the Commencement Date will be required to join the Plan as a condition of service on 1st January or 1st July following the date on which they become eligible.

Employees, however, in the service of the Board on the Commencement Date who do not join the Plan when eligible must obtain the permission of the Board if they subsequently wish to join.

"Employees" means permanent non-teaching staff of the Board and does not include part-time, temporary or casual employees.

3. *How to Join:*

An employee, who is eligible to join the Plan, must complete an application form which authorizes the required deduction from his or her pay.

4. *Normal Pension Age:*

Normal Pension Age is attained on 1st July nearest to the 65th birthday.

5. *Amount of Pension:*

To find the annual amount of pension at Normal Pension Age multiply the number of complete years spent in each salary grade after joining the Plan, up to Normal Pension Age, for which contributions are paid, by the corresponding rate of pension shown in Column 3 of the Table on Schedule 1.

The sum of the above amounts gives the total annual pension payable from Normal Pension Age.

6. *How Pension is Payable:*

The pension at Normal Pension Age is payable by monthly instalments for a period of five years certain and so long thereafter as the pensioner shall live. This ensures that the return by way of pension will exceed the amount which the member was paid in contributions, as set out in Column (4) of the Table in Schedule 1. The first payment of pension will be made on the date on which Normal Pension Age is attained.

7. Early Retirement:

If a member retires with the consent of the Board within ten years before Normal Pension Age, he or she may take a smaller pension which would commence immediately. This pension is payable by monthly instalments for life, but as a minimum it will continue until the whole of the member's contributions to the Plan have been returned. This early retirement pension will include the full benefit of the Board's contributions paid prior to the date of retirement in respect of the member.

8. Late Retirement:

If, with the consent of the Board a member continues in its service after Normal Pension Age, no further contributions will be required but payment of pension may be postponed until actual retirement, with a maximum postponement of five years, for the purposes of the Plan. On that date an increased pension will become payable, the amount of the increase depending on the age at the date of retirement. This pension is payable by monthly instalments for a period of five years certain and so long thereafter as the pensioner shall live.

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At any time before Normal Pension Age a member may elect to take on retirement at Normal Pension Age a smaller pension payable during the joint lifetime of the member and a nominated dependant. This pension would not be payable for any minimum period but would continue in full until the death of the survivor.

10. Optional Combination of Pension with Old Age Pension:

In order to provide a level amount of pension, a member may elect to take on retirement at or after Normal Pension Age an increased pension under the Plan until age 70 and a decreased pension thereafter. The increase in pension before age 70 and the decrease in pension after age 70 will be based on the rate of Government Old Age Pension in force on the date the member retires and will be such that, when the Government Old Age Pension is added at age 70, the pensioner will receive a level amount of pension for life provided the amount of the Government Old Age Pension does not change after the date when the member retires.

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14. *Income Tax Relief:*

Under the present Income Tax regulations contributions of members as outlined in Clauses 12 and 13 may be deducted from gross income to determine taxable income within the statutory limits.

15. *Death:*

A member may name a beneficiary to receive the amount payable in the event of his or her death and will be permitted to change the beneficiary from time to time provided there is no statutory restriction. If no beneficiary has been nominated or if the nominated beneficiary predeceases the member, any payment due under the Plan will be made to the member's executors, administrators or other personal representatives of his or her estate.

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The member (or after the member's death, his or her spouse or dependant, being the nominated beneficiary) may elect that settlement be made under (i) or (ii) above in accordance with the following options:

- (a) in a lump sum; or
- (b) a life pension with or without a guaranteed period. The guaranteed period shall not exceed ten years; or
- (c) in instalments over a period not exceeding ten years. This option is only available to a beneficiary who is the member's spouse or dependant.

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- or

- (b) the member may take a paid-up pension at Normal Pension Age for the amount secured by his or her contributions paid before leaving the service of the Board.

The Board's Contributions: A member who withdraws after not less than eleven years of service with the Board and who elects option (b) above will also receive the percentage shown in the scale below of pension purchased by the Board's contributions on his or her behalf up to the date of withdrawal, in the form of a paid-up pension at Normal Pension Age.

Years of Service with the Board	Percentage of Pension Purchased by the Board's Contributions
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A member cannot withdraw from the Plan while in the service of the Board.

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If a member is temporarily absent from active duty but is not receiving full remuneration, contributions may be discontinued during absence for a period of complete half-months, and a corresponding reduction made in the pension credited.

18. *Change of Salary Grade:*

Benefits and contribution rates do not alter during the year. Alteration in benefits and contribution rates will take effect on any 1st July when Annual Pay calculated as at that date entails a change in salary grade.

19. *Provision of Benefits:*

The Board accepts its obligations under the Plan and in order to provide the foregoing benefits will apply the members' and its own contributions to effect a group pension policy with The Standard Life Assurance Company, and the policy may be seen at the offices of the Board on application.

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Participation in the Plan shall not be construed as guaranteeing continuation in the service of the Board nor shall any provision or condition thereunder restrict the right of the Board to terminate the employment of any member.

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Proof of Age will be required from all members on joining the Plan, and from any person who subsequently may be designated a joint pensioner. For married women, evidence of age must include a marriage certificate.

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While the Board has every hope of maintaining the Plan in force, the right is reserved in the event of unforeseen circumstances to discontinue the Plan after six months' notice, or suspend or amend it from time to time on any anniversary of the Commencement Date, without prejudice, however, to the pension benefits secured by contributions already paid. Should the Plan be discontinued, no part of the benefits secured by the group policy shall be retained by the Board.

24. *Cash Option:*

In exceptional circumstances a member may request that a lump sum payment be made in lieu of pension payments, with the consent of the Board and subject to the approval of the Department of National Revenue.

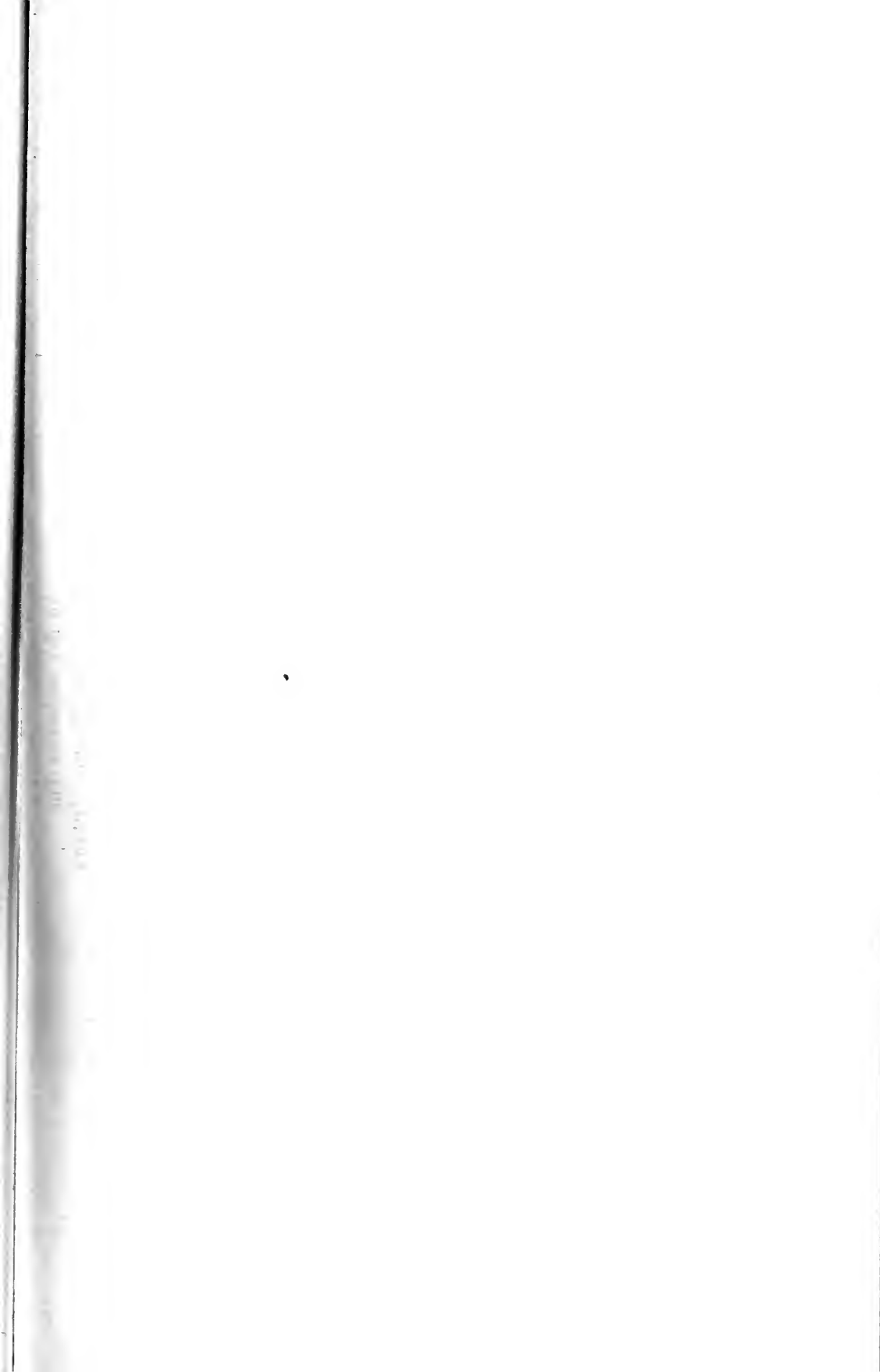
Schedule 1

TABLE OF BENEFITS AND EMPLOYEES' CONTRIBUTIONS

Pensions and Contributions are payable according to the following scale:

Salary Grade (1)	Annual Pay (2)		Annual Pension at Normal Pension Age for each complete year of Future Service for which contributions are paid (3)	Employees' Contributions per month for future Service Benefits (4)
	Over	Up to and including		
A	\$.....	\$1,100	\$ 20.00	\$ 5.00
B	1,100	1,300	24.00	6.00
C	1,300	1,500	28.00	7.00
D	1,500	1,700	32.00	8.00
E	1,700	1,900	36.00	9.00
F	1,900	2,100	40.00	10.00
G	2,100	2,500	46.00	11.50
H	2,500	2,900	54.00	13.50
I	2,900	3,300	62.00	15.50
J	3,300	3,700	70.00	17.50
K	3,700	4,300	80.00	20.00
L.....	4,300	4,900	92.00	23.00
M	4,900	5,500	104.00	26.00

- (1) For the purposes of the Plan, "Annual Pay" means annual rate of earnings in force on 1st July in each year, excluding any payment for overtime, commission, bonuses and gifts.
- (2) Pensions and contributions for salary grades higher than "M" will be supplied on request.



An Act respecting The
Collegiate Institute Board of Ottawa

1st Reading

February 4th, 1960

2nd Reading

March 8th, 1960

3rd Reading

March 17th, 1960

MR. HASKETT

BILL Pr6

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting The Incorporated Synod of the Diocese of Toronto

MR. BECKETT

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr6

1960

An Act respecting The Incorporated Synod of the Diocese of Toronto

WHEREAS The Incorporated Synod of the Diocese of ^{Preamble} Toronto, herein called the Synod, by its petition has represented that by *An Act to enable the Incorporated Synod* ^{1891, c. 101} *of the Diocese of Toronto to consolidate and manage its Trust Funds*, being chapter 101 of the Statutes of Ontario, 1891, it was empowered to hold, manage and invest all its personal property, securities and moneys, which were or should thereafter become vested or held by the Synod, in trust as one general trust fund, herein called the Consolidated Trust Fund; and whereas by *An Act respecting The Incorporated* ^{1949, c. 127} *Synod of the Diocese of Toronto*, being chapter 127 of the Statutes of Ontario, 1949, it was enabled to invest 30 per cent of the book value of the assets then or thereafter comprising the Consolidated Trust Fund in any investments or securities that were then or might thereafter be authorized investments for joint stock insurance companies and cash mutual insurance corporations under *The Companies Act*; and whereas the ^{R.S.O. 1937, c. 251} Synod is desirous of being empowered to invest the assets of the Consolidated Trust Fund in such manner and in such investments or securities as may enable it to obtain a greater diversity of investment and an increase in the income derived therefrom; and whereas the petitioner has prayed that special legislation be passed for such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

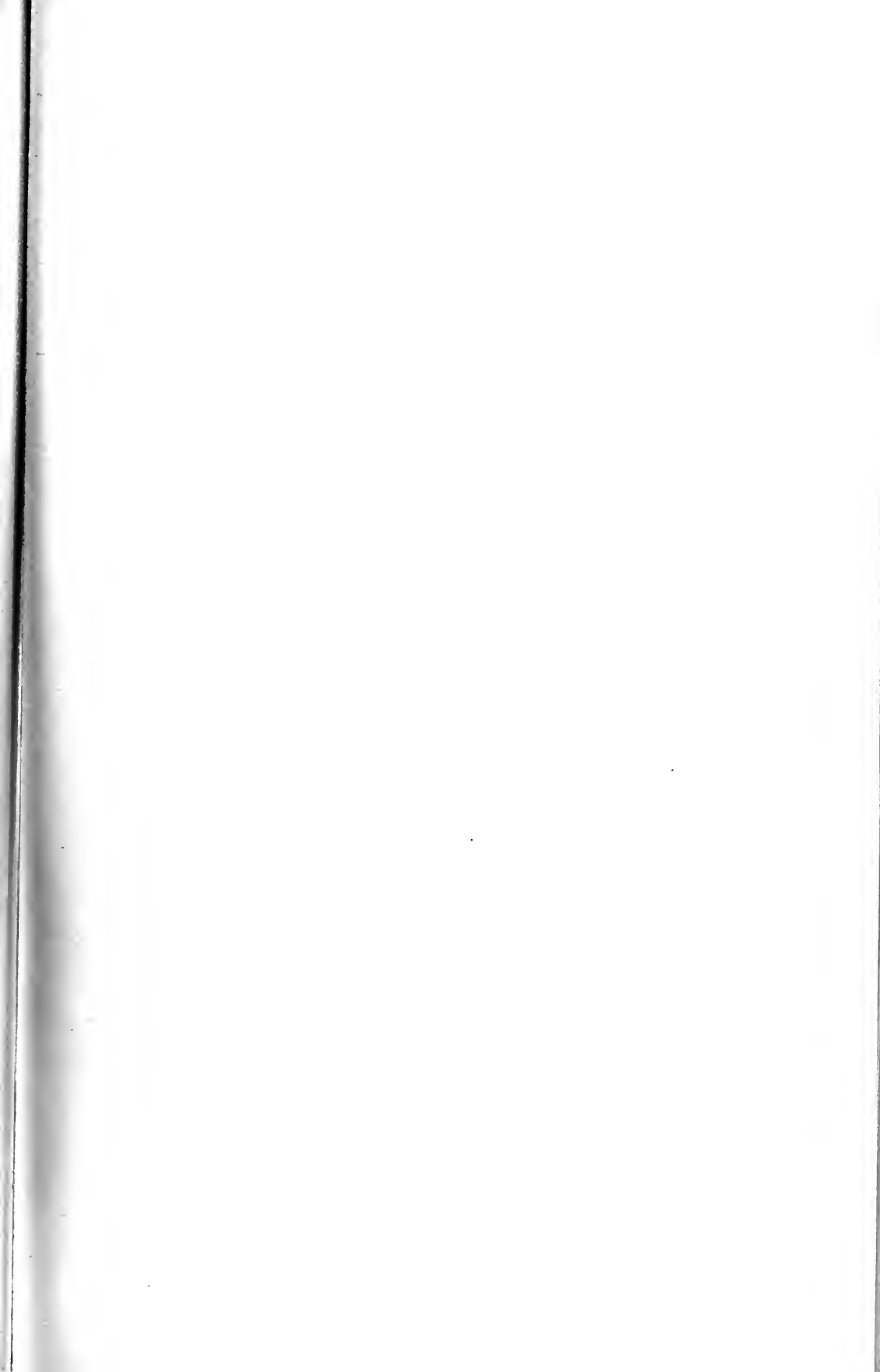
1. The Synod may invest and re-invest all the assets now ^{Investment} or hereafter comprising the Consolidated Trust Fund in such ^{of Consolidated} investments as are now or may hereafter be authorized under ^{Trust Fund} the provisions of *The Corporations Act, 1953* ^{1953, c. 19} for joint stock insurance companies, subject to the limitations and restrictions imposed on the investments of such companies by that Act.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Incorporated Synod of the Diocese of Toronto Act, 1960*.



An Act respecting
The Incorporated Synod
of the Diocese of Toronto

1st Reading

2nd Reading

3rd Reading

MR. BECKETT

(Private Bill)

BILL Pr6

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

**An Act respecting
The Incorporated Synod of the Diocese of Toronto**

MR. BECKETT

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr6

1960

An Act respecting The Incorporated Synod of the Diocese of Toronto

WHEREAS The Incorporated Synod of the Diocese of ^{Preamble} Toronto, herein called the Synod, by its petition has represented that by *An Act to enable the Incorporated Synod* ^{1891, c. 101} *of the Diocese of Toronto to consolidate and manage its Trust Funds*, being chapter 101 of the Statutes of Ontario, 1891, it was empowered to hold, manage and invest all its personal property, securities and moneys, which were or should thereafter become vested or held by the Synod, in trust as one general trust fund, herein called the Consolidated Trust Fund; and whereas by *An Act respecting The Incorporated* ^{1949, c. 127} *Synod of the Diocese of Toronto*, being chapter 127 of the Statutes of Ontario, 1949, it was enabled to invest 30 per cent of the book value of the assets then or thereafter comprising the Consolidated Trust Fund in any investments or securities that were then or might thereafter be authorized investments for joint stock insurance companies and cash mutual insurance corporations under *The Companies Act*; and whereas the ^{R.S.O. 1937, c. 251} Synod is desirous of being empowered to invest the assets of the Consolidated Trust Fund in such manner and in such investments or securities as may enable it to obtain a greater diversity of investment and an increase in the income derived therefrom; and whereas the petitioner has prayed that special legislation be passed for such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

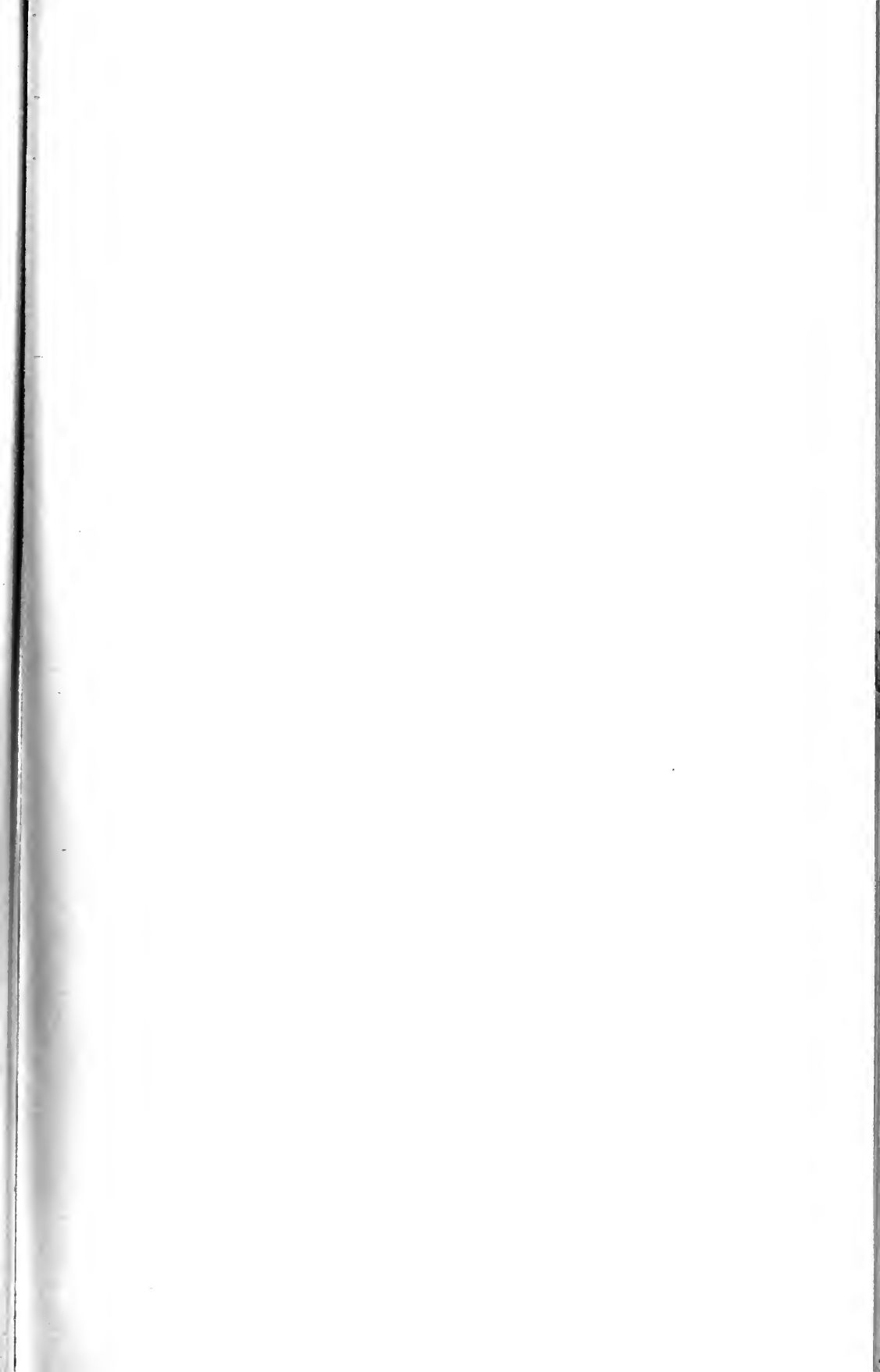
1. The Synod may invest and re-invest all the assets now ^{Investment} or hereafter comprising the Consolidated Trust Fund in such ^{of Consolidated} investments as are now or may hereafter be authorized under ^{Trust Fund} the provisions of *The Corporations Act, 1953* for joint stock ^{1953, c. 19} insurance companies, subject to the limitations and restrictions imposed on the investments of such companies by that Act.

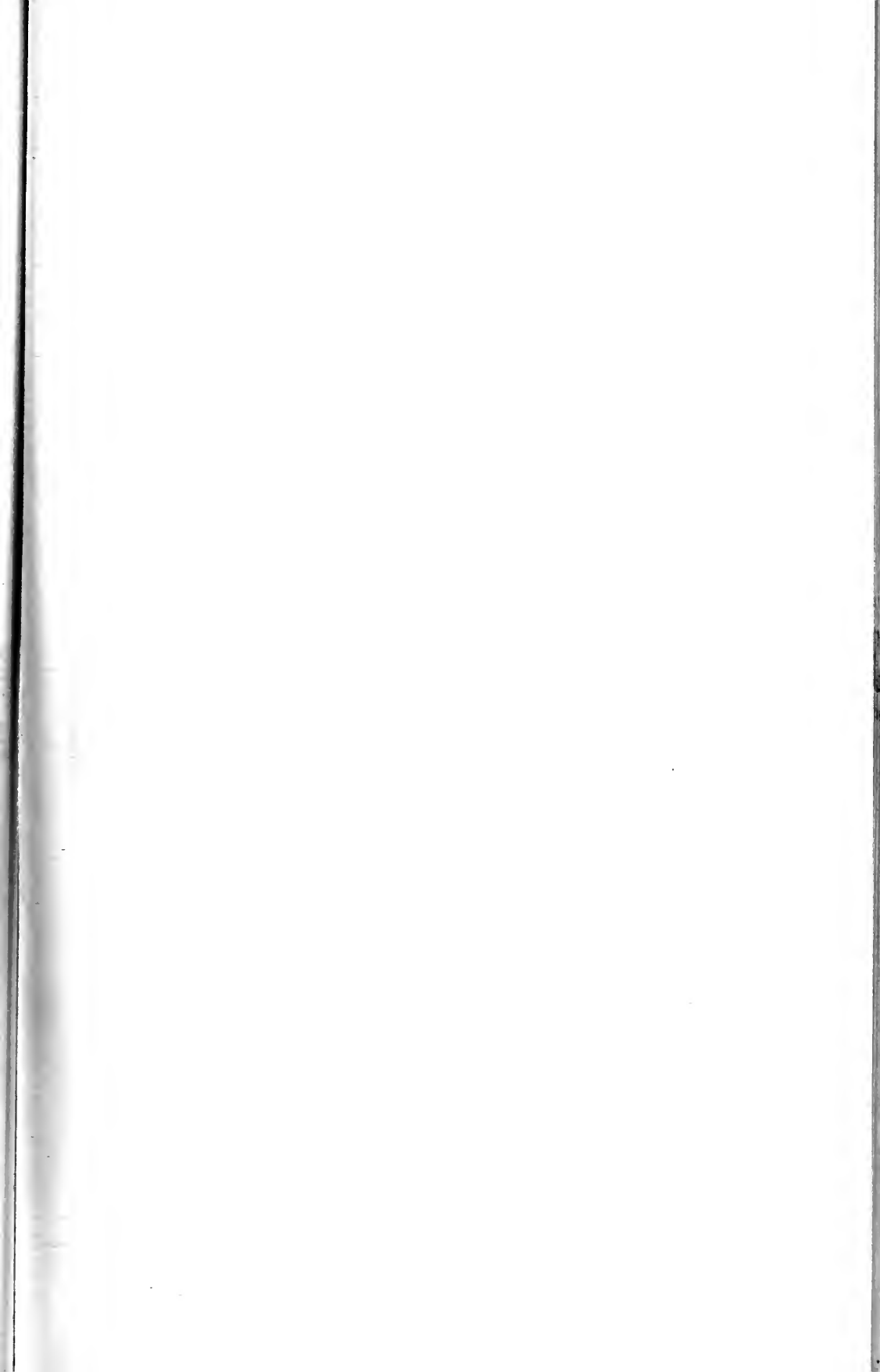
Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Incorporated Synod of the Diocese of Toronto Act, 1960*.





An Act respecting
The Incorporated Synod
of the Diocese of Toronto

1st Reading

February 4th, 1960

2nd Reading

February 18th, 1960

3rd Reading

February 22nd, 1960

MR. BECKETT

BILL Pr7

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Village of Killaloe Station

MR. HAMILTON

(PRIVATE BILL)

BILL Pr7

1960

**An Act respecting the
Village of Killaloe Station**

WHEREAS The Corporation of the Village of Killaloe Preamble
Station by its petition has prayed for special legislation
in respect of the matter hereinafter set forth; and whereas it
is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. *The Village of Killaloe Station Act, 1940* is repealed. 1940, c. 42,
repealed
2. This Act may be cited as *The Village of Killaloe Station* Short title
Act, 1960.

An Act respecting the
Village of Killaloe Station

1st Reading

2nd Reading

3rd Reading

MR. HAMILTON

(Private Bill)

BILL Pr7

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Village of Killaloe Station

MR. HAMILTON



BILL Pr7

1960

**An Act respecting the
Village of Killaloe Station**

WHEREAS The Corporation of the Village of Killaloe Preamble
Station by its petition has prayed for special legislation
in respect of the matter hereinafter set forth; and whereas it
is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. *The Village of Killaloe Station Act, 1940* is repealed. 1940, c. 42,
repealed
2. This Act may be cited as *The Village of Killaloe Station* Short title
Act, 1960.

An Act respecting the
Village of Killaloe Station

1st Reading

February 11th, 1960

2nd Reading

February 18th, 1960

3rd Reading

February 22nd, 1960

MR. HAMILTON

BILL Pr8

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Town of Ingersoll

MR. INNES

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr8

1960

An Act respecting the Town of Ingersoll

WHEREAS The Corporation of the Town of Ingersoll, ^{Preamble} herein called the Corporation, by its petition has represented that sewage works in the Town of Ingersoll have been constructed under the appropriate legislative provisions, that either areas have been created providing that one-third of the costs thereof, excluding maintenance, operation and management costs, shall be assessed and levied on all the rateable property in the Town and that the remaining two-thirds of the costs thereof shall be assessed and levied on all of the rateable property in the Town, set forth in the Schedule hereto, the owners or occupants of which derive an immediate benefit from such sewage construction and operation, or a sewer rate has been provided to be imposed upon the owners deriving a benefit from such sewage works and that, in addition to the two-thirds share of the costs thereof, provision has been made for such annual sums as may be required for the costs of maintenance, operation and management thereof; and whereas all areas in the Town of Ingersoll benefit by the fact that sewage works are constructed and it is desirable to provide,

- (a) that one-third of the capital costs of all sewage works shall be assessed and levied on all the rateable property in the Town;
- (b) that the remaining two-thirds of the capital costs of all sewage works shall be assessed and levied on all rateable property in the Town, set forth in the Schedule hereto, the owners or occupants of which derive an immediate benefit therefrom; and
- (c) that By-laws Nos. 2020, 2043, 2078, 2164, 2193 and 2255, and the levies heretofore made thereunder, be validated and confirmed and declared to be legal, valid and binding upon the Corporation and the ratepayers thereof from the respective dates of the passing of such by-laws;

and whereas the petitioner has prayed for special legislation in connection therewith; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Interpre-
tation

1. In this Act,

- (a) "capital costs" means the costs of constructing sewage works, inclusive of all items of cost usually and properly chargeable to capital account;
- (b) "sewage works" means any public works for the treatment or disposal of sewage, including the sites for the erection of such works, the outfall pipes to carry the effluent from such works, the inlet pipes located on such sites and major trunk sanitary sewer designed to serve the areas, and pumping stations used in connection therewith.

Capital
cost of
existing
sewage
works

2. Notwithstanding any Act or by-law to the contrary, one-third of all the outstanding capital costs and capital charges for sewage works in the Town of Ingersoll existing on the 1st day of January, 1960, shall be assessed and levied on all the rateable property in the Town and the remaining two-thirds of the capital costs and capital charges for such sewage works shall be assessed and levied on all the rateable property in the Town, set forth in the Schedule hereto, the owners or occupants of which derive an immediate benefit therefrom and on all land the owners or occupants of which derive or will or may derive a benefit from any future extension or addition to the sewage works existing on the 1st day of January, 1960.

Area rates
prohibited

3. Notwithstanding any Act or by-law to the contrary, no rate shall be levied upon any area or areas in the Town of Ingersoll other than the rates provided for in section 2 with respect to outstanding capital costs and capital charges of sewage works of the Town existing on the 1st day of January, 1960.

Approval
of future
by-law
required
R.S.O. 1950,
c. 243

4. Notwithstanding the other provisions of this Act, hereafter all by-laws of the Town of Ingersoll, relating to sewage works of the Town, shall be approved in accordance with the terms of *The Municipal Act* or any other Act relating thereto.

Operation
costs

5. The maintenance, operation and management costs of sewage works constructed under any by-law of the Town of Ingersoll existing on the 1st day of January, 1960, shall be

assessed and levied on all the rateable property in the Town, set forth in the Schedule hereto, the owners or occupants of which derive an immediate benefit therefrom and on all land the owners or occupants of which derive or will or may derive a benefit from any future extension or addition to the sewage works existing on the 1st day of January, 1960.

6. Notwithstanding *The Local Improvement Act* or *The Ontario Water Resources Commission Act, 1957*, the council of the Corporation may by by-law undertake the construction of sewage works in accordance with *The Local Improvement Act* or enter into agreements with the Ontario Water Resources Commission and provide therein that the capital costs and capital charges thereof shall be assessed and levied on the basis set out in section 2 and further providing that the maintenance, operation and management costs shall be assessed and levied on the basis set out in section 5.

Future
sewage
works
R.S.O. 1950,
c. 215;
1957, c. 88

7. By-laws Nos. 2020, 2043, 2078, 2164, 2193 and 2255 of the Corporation, and the levies heretofore made thereunder, are hereby validated and confirmed and declared to be legal, valid and binding upon the Corporation and the ratepayers thereof from the respective dates of the passing of such by-laws.

By-laws
validated

8. This Act shall be deemed to have come into force on the 1st day of January, 1960.

Commence-
ment

9. This Act may be cited as *The Town of Ingersoll Act*, 1960.

Short title

SCHEDULE

THAMES STREET NORTH, West Side

- Lots Nos. 2 and 3, Block LXXIII, Plan 279.
- Lots Nos. 1 to 3, 5B and the west half of Lot 6B, Block LXXX, Plan 279.
- Lots Nos. 7A to 18A inclusive, Block LXXXVII, Plan 279.
- Lots Nos. 266 to 275 inclusive, 277 and 278, 1A and 2A, Block CI, Plan 279.

THAMES STREET NORTH, East Side

- Lots Nos. 4 to 7 inclusive, Block Q, Plan 279.
- Lots Nos. 8 to 11 inclusive, Block O, Plan 279.
- Lots Nos. 12 to 15 inclusive, Block M, Plan 279.
- Lots Nos. 16 to 19 inclusive, Block K, Plan 279.
- Lots Nos. 20 to 23 inclusive, Block H, Plan 279.
- Lots Nos. 24 to 27 inclusive, Block F, Plan 279.
- Lots Nos. 28 to 31 inclusive, Block E, Plan 279.
- Lots Nos. 32 to 37 inclusive, Block C, Plan 279.

VICTORIA STREET, South Side

- Lots Nos. 3, 296, 297, 249, 4, 5, 6, 12, 13 and 1A, Block LXXIII, Plan 279.
- Lots Nos. 11 to 21 inclusive, 1 to 7 inclusive, Block LXXIV, Plan 279.

VICTORIA STREET, North Side

- Lots Nos. 3 to 10 inclusive, Block LXXX, Plan 279.
- Lots Nos. 1 to 8 inclusive, Block LXXXI, Plan 279.
- Lots Nos. 1, 2A to 8A inclusive, Block LXXXII, Plan 279.

BELL STREET, North Side

- Lots Nos. 7A, 21 and 1, Block LXXXVII, Plan 279.

JOHN STREET, East Side

- Lots Nos. 5A and 6A, Block LXXX, Plan 279.
- Lots Nos. 1 to 13 inclusive, Block LXXXVII, Plan 279.

JOHN STREET, West Side

- Lots Nos. 250, 1A to 3A inclusive, Block LXXXI, Plan 279.
- Lots Nos. 4 to 13 inclusive, 17, Block LXXXVIII, Plan 279.

ALMA STREET, North Side

- Lots Nos. 6 to 8 inclusive, Block K, Plan 279.
- Lots Nos. 9 to 18 inclusive, Block L, Plan 279.

ALMA STREET, South Side

- Lots Nos. 6 to 8 inclusive, Block M, Plan 279.
- Lots Nos. 9 to 18 inclusive, Block N, Plan 279.

CARNEGIE STREET, North Side

- Lots Nos. 4, 1 to 5 inclusive, Block Q, Plan 279.

CARNEGIE STREET, South Side

- Lots Nos. 3, 4 to 9 inclusive, Block S, Plan 279.

CATHARINE STREET, North Side

Lots Nos. 8, 1 to 6 inclusive, Block O, Plan 279.

CATHARINE STREET, South Side

Lots Nos. 7, 1 to 6 inclusive, Block Q, Plan 279.

EVELYN AVENUE, West Side

Lots Nos. 6, 43 to 53 inclusive, Block CX, Plan 301.

EVELYN AVENUE, East Side

Lots Nos. 7, 64 to 74 inclusive, Block CX, Plan 301.

GEORGE STREET, West Side

Lots Nos. 5 and 6, Block Q, Plan 279.

Lots Nos. 6 and 7, Block O, Plan 279.

Lots Nos. 7 and 8, Block M, Plan 279.

Lots Nos. 8 and 9, Block K, Plan 279.

GEORGE STREET, East Side

Lots Nos. 6 and 7, Block R, Plan 279.

Lots Nos. 7 and 8, Block P, Plan 279.

Lots Nos. 8 and 9, Block N, Plan 279.

Lots Nos. 9 and 10, Block L, Plan 279.

KING SOLOMON STREET, North Side

Lots Nos. 1 to 13 inclusive, Block CX, Plan 301.

KING SOLOMON STREET, South Side

Lots Nos. 5 to 8 inclusive, Block CIX, Plan 279.

BRUCE STREET, West Side

Lots Nos. 9 and 10, Block CVII, Plan 279.

BRUCE STREET, East Side

Lots Nos. "C" and 11, Block CVIII, Plan 279.

METCALFE STREET, North Side

Lots Nos. 1 to 10 inclusive, Block CVII, Plan 279.

METCALFE STREET, South Side

Lots Nos. 1 to 9 inclusive, Block CV, Plan 279.

MUTUAL STREET, West Side

Lot No. 16, Block N, Plan 279.

Lots Nos. 20 and 22, Block I, Plan 279.

Lots Nos. 22 and 23, Block G, Plan 279.

Lots Nos. 22 and 21, Block D, Plan 279.

MUTUAL STREET, East Side

Lot No. 1, Block CVII, Plan 279.

Lots Nos. 1 and 8, Block CIX, Plan 279.

Lots Nos. 1, 22 to 32 inclusive, Block CX, Plan 301.

Lots Nos. 33 to 39 inclusive, Block CX, Plan 301.

WILLIAM STREET, North Side

Lots Nos. 8 to 16 inclusive, Block N, Plan 279.

WILLIAM STREET, South Side

Lots Nos. 8 to 16 inclusive, Block P, Plan 279.

CHARLES STREET EAST, North Side

Lots Nos. 177 to 179 inclusive, Block XXXVII, Plan 279.

Lots Nos. 1 to 4 inclusive, 180, Block XXXVIII, Plan 279.

Lots Nos. 184 to 186 inclusive, 19 to 23 inclusive, Block XXXIX, Plan 279.

CHARLES STREET EAST, South Side

Lot No. 10, Block XLI, Plan 279.

Lots Nos. 11 to 16 inclusive, Block XLII, Plan 279.

Lots Nos. 1B to 3B inclusive, 1A and 2A, 4A and 5A, Block XLIII, Plan 279.

Lots Nos. 1 to 8 inclusive, Block XLIV, Plan 279.

ST. ANDREWS STREET, North Side

Lots Nos. 15, 1, Block XXXVI, Plan 279.

ST. ANDREWS STREET, South Side

Lots Nos. 10 to 14 inclusive, 175, 176, 178, Block XXXVII, Plan 279.

WATER STREET, West Side

Lots Nos. 1A to 7A inclusive, 32 to 35 inclusive, Lot 10, Block XLI, Plan 279.

WATER STREET, East Side

Lots Nos. 11, 17, 192 and 193, 23 to 27 inclusive, Lot 29, Block XLII, Plan 279.

KING STREET EAST, North Side

Lots Nos. 1D to 6D inclusive, 1E to 4E inclusive, Block XLIII, Plan 279.

Lot No. 201, Block LI, Plan 279.

Lots Nos. 1A to 3A inclusive, 1 and 2, Block XLI, Plan 279.

Lots Nos. 1 to 6 inclusive, 7A and 8A, Block L, Plan 279.

KING STREET EAST, South Side

Lots Nos. 2B to 11B inclusive, Block LII, Plan 279.

Lots Nos. 1 and 4A, Block LIII, Plan 279.

Lots Nos. 1 to 13 inclusive, 210, Block LIV, Plan 279.

Lot No. 211, Block LIX, Plan 279.

MILL STREET, West Side

Lots Nos. 16 to 28 inclusive, Block XLII, Plan 279.

MILL STREET, East Side

Lots Nos. 1B, 1C to 5C inclusive, 6D, Block XLIII, Plan 279.

CARROLL STREET, West Side

Lots Nos. 1A, 1 to 11 inclusive, 1E, Block XLIII, Plan 279.

CARROLL STREET, East Side

Lot No. 1, Block XLIV, Plan 279.
 Lots Nos. 1A to 5A inclusive, 194 and 201, Block LI, Plan 279.

WELLINGTON STREET, West Side

Lot No. 2B, Block LII, Plan 279.
 Lots Nos. 2A, 1A, 5A, Block LII, Plan 279.
 Lots Nos. 1 to 5 inclusive, Lot "A", Block LXIV, Plan 279.
 Lots Nos. 1 to 4 inclusive, 15 and 16, 26 and 27, Block LXIV, Plan 279.

WELLINGTON STREET, East Side

Lots Nos. 1 to 4 inclusive, Block LIII, Plan 279.
 Lots Nos. 3A to 6A inclusive, 4B, Block LV, Plan 279.
 Lots Nos. 4A, 1C to 5C inclusive, Victoria Park, Block LXV, Plan 279.

NOXON STREET, North Side

Lot No. "A", Block LXIV, Plan 279.

NOXON STREET, South Side

Lots Nos. 23 to 37 inclusive, Block LXVI, Plan 279.

WELLINGTON AVENUE, North Side

Lots Nos. 2, 5 to 9 inclusive, Block LXIV, Plan 349.

WELLINGTON AVENUE, South Side

Lots Nos. 3, 10 to 14 inclusive, Block LXIV, Plan 349.

NELSON STREET, North Side

Lots Nos. 16 to 21 inclusive, Block LXIV, Plan 349.

NELSON STREET, South Side

Lots Nos. 22 to 26 inclusive, Block LXIV, Plan 349.

CONCESSION LINE STREET, North Side

Lots Nos. 4 and 1A, Block LIII, Plan 279.
 Lots Nos. 239 and 240, Block LIV, Plan 279.

CONCESSION LINE STREET, South Side

Lots Nos. 3A, 2A, 1, Block LV, Plan 279.

HALL STREET, West Side

Lots Nos. 1A to 4A inclusive, Block LIII, Plan 279.
 Lots Nos. 1 to 4 inclusive, 2D, 7D, 8 to 14 inclusive, Block LV,
 Plan 279.

HALL STREET, East Side

Lot No. 13, Block LIV, Plan 279.
 Lots Nos. 1 to 7 inclusive, Block LVI, Plan 279.
 Lots Nos. 8 to 13 inclusive, Block LVIII, Plan 279.

CANTERBURY STREET, North Side

Lots Nos. 244, 6A and 5A, Block LII, Plan 279.
 Lots Nos. 1B to 4B inclusive, 1C to 5C inclusive, Lot 14, Block LV,
 Plan 279.

CANTERBURY STREET, South Side

- Lots Nos. 5 to 8 inclusive, Block LXIV, Plan 279.
- Lots Nos. 1A to 4A inclusive, 1 to 9 inclusive, Block LXV, Plan 279.

KING STREET WEST, North Side

- Lots Nos. A, B, C, D, 3A, 4A and 5A, Block IV, Plan 279.
- Lots Nos. 5 to 8 inclusive, Block V, Plan 279.
- Lots Nos. 1, 2 and 111, Block VI, Plan 279.
- Lots Nos. 1, 2, 8 and 9, Block VII, Plan 279.
- Lots Nos. 1, 2, 10 and 11, Block VIII, Plan 279.
- Lots Nos. 1 to 4 inclusive, Block IX, Plan 279.
- Lots Nos. 9 to 12 inclusive, Block X, Plan 279.
- Lots Nos. 1 to 7 inclusive, Block XI, Plan 279.
- Lots Nos. 1A to 4A inclusive, Block XII, Plan 279.
- Lots Nos. 1 to 7 inclusive, Block XII, Plan 279.
- Lot No. 6A, Block XII, Plan 279.

KING STREET WEST, South Side

- Lots Nos. 2B and 3B, Block XIII, Plan 279.
- Lots Nos. 5 to 8 inclusive and 9A, Block XIV, Plan 279.
- Lots Nos. 10 to 16 inclusive and 105, Block XV, Plan 279.
- Lots Nos. 13 to 15 inclusive and Lot 1, Block XVI, Plan 279.
- Lots Nos. 11 to 14 inclusive, Block XVII, Plan 279.
- Lots Nos. 133 and 138, Block XVIII, Plan 279.
- Lots Nos. 1 to 4 inclusive, Block XIX, Plan 279.
- Lots Nos. 1 to 4 inclusive, Block XX, Plan 279.
- Lots Nos. 142 and 143, Block XXVII, Plan 279.

CHARLES STREET WEST, North Side

- Lots Nos. 119, 120 and 2 to 9 inclusive, Block I, Plan 279.
- Lots Nos. 10A to 16A inclusive, Block I, Plan 279.
- Lots Nos. 17 to 22 inclusive, Block II, Plan 279.
- Lots Nos. 129 and 130, Block III, Plan 179.

CHARLES STREET WEST, South Side

- Lot No. 2A, Block IV, Plan 279.
- Lots Nos. 1 to 4 inclusive, Block V, Plan 279.
- Lots Nos. 113 to 118 inclusive, Block VI, Plan 279.
- Lots Nos. 5 to 7 inclusive, Block VII, Plan 279.
- Lots Nos. 3A and 4A, Block VII, Plan 279.
- Lots Nos. 1A, 2A, 6 and 7, Block VIII, Plan 279.
- Lots Nos. 10 to 12 inclusive, Block IX, Plan 279.
- Lots Nos. 3 to 6 inclusive, Block X, Plan 279.
- Lot No. 13, Block XI, Plan 279.

THAMES STREET SOUTH, West Side

- Lots Nos. 18 to 25 inclusive, Block XXXIV, Plan 279.
- Lots Nos. 10 to 17, Block I, Plan 279.
- Lots Nos. 1 to 9 inclusive, Block IV, Plan 279.
- Lots Nos. 1 to 12 inclusive, Block XIII, Plan 279.
- Lots Nos. 1, 2 and 1A, 161, 162, 163, 7A, 8A, 9A and 1B to 5B inclusive, Block XXVIII, Plan 279.
- Lots Nos. 1 to 5 inclusive, Block XXX, Plan 279.

THAMES STREET SOUTH, East Side

- Lots Nos. 18 to 22 inclusive and 23A, Block XXXV, Plan 279.
- Lots Nos. 15 to 17 inclusive, Block XXXVI, Plan 279.
- Lots Nos. 10 to 14 inclusive, Block XXXVII, Plan 279.
- Lots Nos. 1 to 9 inclusive, Block XLI, Plan 279.
- Lots Nos. 1 to 13 inclusive, Block LII, Plan 279.
- Lots Nos. 164 to 167 inclusive, Block LXIV, Plan 279.
- Lots Nos. 1 to 7 inclusive, Block LXIV, Plan 279.

OXFORD STREET, West Side

Lots Nos. 1B to 3B inclusive, Block V, Plan 279.
 Lots Nos. 1 to 5 inclusive, Block XIV, Plan 279.
 Lots Nos. 6 to 11 inclusive, Block XXI, Plan 279.
 Lots Nos. 151 to 159 inclusive, Block XXIX, Plan 279.
 Lots Nos. 1A to 5A inclusive, Block XXIX, Plan 279.

OXFORD STREET, East Side

Lots Nos. 2A, 1A and 3A, Block IV, Plan 279.
 Lots Nos. 1A to 11A inclusive, Block XIII, Plan 279.
 Lots Nos. 8, 9, 160 and 163, Block XXVIII, Plan 279.
 Lots Nos. 1C to 5C inclusive, Block XXVIII, Plan 279.
 Lots Nos. 7B to 11B inclusive, Block XXVIII, Plan 279.

DUKE STREET, West Side

Lots Nos. 3 to 5 inclusive and 112, Block VI, Plan 279.

DUKE STREET, East Side

Lots Nos. 1A, 2A and 8, Block V, Plan 279.

DUKE LANE, North Side

Lots Nos. 112 and 116, Block VI, Plan 279.

DUKE LANE, South Side

Lot No. 111, Block VI, Plan 279.

CHURCH STREET, East Side

Lots Nos. 111, 116 and 118, Block VI, Plan 279.

CHURCH STREET, West Side

Lots Nos. 1, 3, 4 and 5, Block VII, Plan 279.

EARL STREET, East Side

Lots Nos. 9 to 11 inclusive, Block XIV, Plan 279.
 Lots Nos. 3 to 5 inclusive and 6A, Block XXI, Plan 279.

EARL STREET, West Side

Lots Nos. 6 to 8 inclusive and 4, Block XV, Plan 279.
 Lots Nos. 1 to 5 inclusive, Block XXII, Plan 279.

ALBERT STREET, East Side

Lots Nos. 5A to 7A inclusive, Block VII, Plan 279.
 Lots Nos. 105 to 108 inclusive, Block XV, Plan 279.
 Lots Nos. 10 to 14 inclusive and 18, Block XXII, Plan 279.

ALBERT STREET, West Side

Lots Nos. 12 to 14 inclusive, Block VIII, Plan 279.
 Lots Nos. 1 to 7 inclusive, Block XVI, Plan 279.
 Lots Nos. 1 to 8 inclusive, Block XXIII, Plan 279.

WONHAM STREET, East Side

Lots Nos. 3 to 6 inclusive, Block VIII, Plan 279.
 Lots Nos. 8 to 12 inclusive, Block XVI, Plan 279.
 Lots Nos. 12 to 18 inclusive, Block XXIII, Plan 279.

WONHAM STREET, West Side

Lots Nos. 7 to 9 inclusive, Block IX, Plan 279.
 Lots Nos. 6 to 10 inclusive, Block XVII, Plan 279.
 Lots Nos. 10 to 18 inclusive, Block XXIV, Plan 279.

MERRITT STREET, East Side

Lots Nos. 12 to 16 inclusive, Block IX, Plan 279.
 Lots Nos. 1 to 4 inclusive, Block XVII, Plan 279.

MERRITT STREET, West Side

Lots Nos. 1 to 3 inclusive, Block X, Plan 279.
 Lots Nos. 133 to 137 inclusive, 1 and 2, Block XVIII, Plan 279.

QUEEN STREET, East Side

Lots Nos. 6 to 9 inclusive, Block X, Plan 279.

QUEEN STREET, West Side

Lots Nos. 1 and 13, Block XI, Plan 279.

BOND STREET, East Side

Lots Nos. 5 to 8 inclusive, Block XIX, Plan 279.

BOND STREET, West Side

Lots Nos. 11 to 15 inclusive, Block XX, Plan 279.

WHITING STREET, East Side

Lots Nos. 5 to 9 inclusive, Block XX, Plan 279.
 Lots Nos. 4 to 7 inclusive, Block XXVI, Plan 279.

WHITING STREET, West Side

Lots Nos. 142 and 147, Block XXVII, Plan 279.

FRANCIS STREET, North Side

Lots Nos. 4 to 6 inclusive, Block XVII, Plan 279.
 Lots Nos. 7 and 8, Block XVI, Plan 279.
 Lots Nos. 108, 109, 110, 4 and 5, Block XV, Plan 279.
 Lots Nos. 1A to 3A inclusive, Block XIV, Plan 279.

FRANCIS STREET, South Side

Lots Nos. 1 to 3 inclusive, Block XXI, Plan 279.
 Lots Nos. 5 to 10 inclusive, Block XXII, Plan 279.
 Lots Nos. 8 to 11 inclusive, Block XXIII, Plan 279.
 Lots Numbers 1, 2 and 10, Block XXIV, Plan 279.

ANN STREET, North Side

Lots Nos. 100 and 11A, Block XIII, Plan 279.

ANN STREET, South Side

Lots Nos. 1 to 7 inclusive, Block XXVIII, Plan 279.

COTTAGE STREET, South Side

Lots Nos. 1A to 6A inclusive, Block XXVIII, Plan 279.

OXFORD LANE, East Side

Lots Nos. 120 to 125 inclusive, Block I, Plan 279.

OXFORD LANE, West Side

Lots Nos. 2 and 2A, Block I, Plan 279.
Lot No. 126, Block XXXIV, Plan 279.

AVONLEA STREET, East Side

Lots Nos. 10A and 10B, Block I, Plan 279.

AVONLEA STREET, West Side

Lots Nos. 11A and 11B, Block I, Plan 279.

CATHARINE STREET, North Side

Lots Nos. 7 to 14 inclusive, Block P, Plan 279.

CATHARINE STREET, South Side

Lots Nos. 7 to 13 inclusive, Block R, Plan 279.

UNION STREET, West Side

Lots Nos. 1 to 4 inclusive, Block LXXXII, Plan 279.

UNION STREET, East Side

Lots Nos. 8, 251 to 254 inclusive, Block LXXXI, Plan 279.

NORTH TOWN LINE, South Side

Lots Nos. 40, 1 to 12 inclusive, Block A, Plan 279.

GEORGE STREET, West Side

Lots Nos. 12 and 10, Block A, Plan 279.

GEORGE STREET, East Side

Lots Nos. 13 and 11, Block B, Plan 279.

RAGLAN STREET, North Side

Lots Nos. 38, 1 to 10 inclusive, Block A, Plan 279.

RAGLAN STREET, South Side

Lots Nos. 37, 13 to 22 inclusive, Block C, Plan 279.

CHERRY STREET, North Side

Lots Nos. 2 to 8 inclusive, Block XLIV, Plan 279.
Lots Nos. 9 to 16 inclusive, Block XLV, Plan 279.
Lots Nos. 17 to 23 inclusive, Block XLVI, Plan 279.

CHERRY STREET, South Side

Lots Nos. 1 to 6 inclusive, Block LI, Plan 279.
Lots Nos. 7 to 14 inclusive, Block L, Plan 279.
Lots Nos. 15 to 24 inclusive, Block XLIX, Plan 279.

EVELYN AVENUE, East Side

Lots Nos. 75 to 84 inclusive, Plan 301.

EVELYN AVENUE, West Side

Lots Nos. 54 to 63 inclusive, Plan 301.

NOXON STREET, South Side

Lots Nos. 37 to 39 inclusive, Block LXVI, Plan 279.

THAMES STREET SOUTH, East Side

Lots Nos. 9 to 10, Block LXVI, Plan 279.

KING HIRAM STREET, South Side

Lots Nos. 1 to 9 inclusive, Block CIII, Plan 279.

Lots Nos. 12 to 34 inclusive, Block CIV, Plan 279.

KING HIRAM STREET, North Side

Lots Nos. 1 to 10 inclusive, Block CV, Plan 279.

Lots Nos. 11 to 27 inclusive, Block CVI, Plan 279.

CATHCART STREET, South Side

Lots Nos. 9 and 10, Block II, Plan 95.

Lots Nos. 11 to 20 inclusive, Block I, Plan 95.

CATHCART STREET, North Side

Lots Nos. 11 to 22 inclusive, Block G, Plan 95.

INKERMAN STREET, North Side

Lots Nos. 8 and 9, Block II, Plan 95.

Lot No. 10, Block I, Plan 95.

KING SOLOMON STREET, South Side

Lot No. "C", Block CVIII, Plan 279.

KING SOLOMON STREET, North Side

Lots Nos. 13 to 18 inclusive, Plan 301.

KENSINGTON AVENUE, West Side

Lots Nos. 85 to 95 inclusive, Plan 301.

KENSINGTON AVENUE, East Side

Lots Nos. 106 to 116 inclusive, Plan 301.

WHITING STREET, West Side

Lot No. 147, Block XXVII, Plan 279.

CHARLES STREET EAST, North Side

Lots Nos. 1 to 6 inclusive, Block XL, Plan 279.

Lots Nos. 1 to 19 inclusive, Block XXXIX, Plan 279.

CHARLES STREET EAST, South Side

Lots Nos. 9 to 16 inclusive, Block XLV, Plan 279.

Lots Nos. 17 to 26 inclusive, Block XLVI, Plan 279.

Lots Nos. 1 to 4 inclusive, Block XLVII, Plan 279.

Lots Nos. 1A to 4A inclusive, Block XLVII, Plan 279.

Lot No. 1, Block XLVIII, Plan 279.



An Act respecting the
Town of Ingersoll

1st Reading

February 4th, 1960

2nd Reading

3rd Reading

MR. INNES

(*Private Bill*)

BILL Pr8

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the Town of Ingersoll

MR. INNES

(Reprinted as amended by the Committee on Private Bills)

**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY**

BILL Pr8

1960

An Act respecting the Town of Ingersoll

WHEREAS The Corporation of the Town of Ingersoll, Preamble
herein called the Corporation, by its petition has represented that sewage works in the Town of Ingersoll have been constructed under the appropriate legislative provisions, that either areas have been created providing that one-third of the costs thereof, excluding maintenance, operation and management costs, shall be assessed and levied on all the rateable property in the Town and that the remaining two-thirds of the costs thereof shall be assessed and levied on the rateable property in the Town set forth in the Schedule hereto, the owners or occupants of which derive an immediate benefit from such sewage construction and operation, or a sewer rate has been provided to be imposed upon the owners deriving a benefit from such sewage works and that, in addition to the two-thirds share of the costs thereof, provision has been made for such annual sums as may be required for the costs of maintenance, operation and management thereof; and whereas all areas in the Town of Ingersoll benefit by the fact that sewage works are constructed and it is desirable to provide,

- (a) that one-third of the capital costs of all sewage works shall be assessed and levied on all the rateable property in the Town;
- (b) that the remaining two-thirds of the capital costs of all sewage works shall be assessed and levied on all rateable property in the Town, set forth in the Schedule hereto, the owners or occupants of which derive an immediate benefit therefrom; and
- (c) that By-laws Nos. 2020, 2043, 2078, 2164, 2193 and 2255, and the levies heretofore made thereunder, be validated and confirmed and declared to be legal, valid and binding upon the Corporation and the ratepayers thereof from the respective dates of the passing of such by-laws;

and whereas the petitioner has prayed for special legislation in connection therewith; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Interpre-
tation

1. In this Act,

- (a) "capital costs" means the costs of constructing sewage works, inclusive of all items of cost usually and properly chargeable to capital account;
- (b) "sewage works" means any public works for the treatment or disposal of sewage, including the sites for the erection of such works, the outfall pipes to carry the effluent from such works, the inlet pipes located on such sites and major trunk sanitary sewer designed to serve the areas, and pumping stations used in connection therewith.

Capital
cost of
existing
sewage
works

2. Notwithstanding any Act or by-law to the contrary, one-third of all the outstanding capital costs and capital charges for sewage works in the Town of Ingersoll existing on the 1st day of January, 1960, shall be assessed and levied on all the rateable property in the Town and the remaining two-thirds of the capital costs and capital charges for such sewage works shall be assessed and levied on the rateable property in the Town set forth in the Schedule hereto, the owners or occupants of which derive an immediate benefit therefrom and on all land the owners or occupants of which derive or will or may derive a benefit from any future extension or addition to the sewage works existing on the 1st day of January, 1960.

Area rates
prohibited

3. Notwithstanding any Act or by-law to the contrary, no rate shall be levied upon any area or areas in the Town of Ingersoll other than the rates provided for in section 2 with respect to outstanding capital costs and capital charges of sewage works of the Town existing on the 1st day of January, 1960.

Approval
of future
by-law
required
R.S.O. 1950,
c. 243

4. Notwithstanding the other provisions of this Act, hereafter all by-laws of the Town of Ingersoll, relating to sewage works of the Town, shall be approved in accordance with the terms of *The Municipal Act* or any other Act relating thereto.

Operation
costs

5. The maintenance, operation and management costs of sewage works constructed under any by-law of the Town of Ingersoll existing on the 1st day of January, 1960, shall be

assessed and levied on the rateable property in the Town set forth in the Schedule hereto, the owners or occupants of which derive an immediate benefit therefrom and on all land the owners or occupants of which derive or will or may derive a benefit from any future extension or addition to the sewage works existing on the 1st day of January, 1960.

6. Notwithstanding *The Local Improvement Act* or *The Ontario Water Resources Commission Act, 1957*, the council of the Corporation may by by-law undertake the construction of sewage works in accordance with *The Local Improvement Act* or enter into agreements with the Ontario Water Resources Commission and provide therein that the capital costs and capital charges thereof shall be assessed and levied on the basis set out in section 2 and further providing that the maintenance, operation and management costs shall be assessed and levied on the basis set out in section 5.

Future
sewage
works
R.S.O. 1950,
c. 215;
1957, c. 88

7. By-laws Nos. 2020, 2043, 2078, 2164, 2193 and 2255 of the Corporation, and the levies heretofore made thereunder, are hereby validated and confirmed and declared to be legal, valid and binding upon the Corporation and the ratepayers thereof from the respective dates of the passing of such by-laws.

By-laws
validated

8. This Act shall be deemed to have come into force on the 1st day of January, 1960.

Commence-
ment

9. This Act may be cited as *The Town of Ingersoll Act*, 1960.

Short title

SCHEDULE

THAMES STREET NORTH, West Side

- Lots Nos. 2 and 3, Block LXXIII, Plan 279.
- Lots Nos. 1 to 3, 5B and the west half of Lot 6B, Block LXXX, Plan 279.
- Lots Nos. 7A to 18A inclusive, Block LXXXVII, Plan 279.
- Lots Nos. 266 to 275 inclusive, 277 and 278, 1A and 2A, Block CI, Plan 279.

THAMES STREET NORTH, East Side

- Lots Nos. 4 to 7 inclusive, Block Q, Plan 279.
- Lots Nos. 8 to 11 inclusive, Block O, Plan 279.
- Lots Nos. 12 to 15 inclusive, Block M, Plan 279.
- Lots Nos. 16 to 19 inclusive, Block K, Plan 279.
- Lots Nos. 20 to 23 inclusive, Block H, Plan 279.
- Lots Nos. 24 to 27 inclusive, Block F, Plan 279.
- Lots Nos. 28 to 31 inclusive, Block E, Plan 279.
- Lots Nos. 32 to 37 inclusive, Block C, Plan 279.

VICTORIA STREET, South Side

- Lots Nos. 3, 296, 297, 249, 4, 5, 6, 12, 13 and 1A, Block LXXIII, Plan 279.
- Lots Nos. 11 to 21 inclusive, 1 to 7 inclusive, Block LXXIV, Plan 279.

VICTORIA STREET, North Side

- Lots Nos. 3 to 10 inclusive, Block LXXX, Plan 279.
- Lots Nos. 1 to 8 inclusive, Block LXXXI, Plan 279.
- Lots Nos. 1, 2A to 8A inclusive, Block LXXXII, Plan 279.

BELL STREET, North Side

- Lots Nos. 7A, 21 and 1, Block LXXXVII, Plan 279.

JOHN STREET, East Side

- Lots Nos. 5A and 6A, Block LXXX, Plan 279.
- Lots Nos. 1 to 13 inclusive, Block LXXXVII, Plan 279.

JOHN STREET, West Side

- Lots Nos. 250, 1A to 3A inclusive, Block LXXXI, Plan 279.
- Lots Nos. 4 to 13 inclusive, 17, Block LXXXVIII, Plan 279.

ALMA STREET, North Side

- Lots Nos. 6 to 8 inclusive, Block K, Plan 279.
- Lots Nos. 9 to 18 inclusive, Block L, Plan 279.

ALMA STREET, South Side

- Lots Nos. 6 to 8 inclusive, Block M, Plan 279.
- Lots Nos. 9 to 18 inclusive, Block N, Plan 279.

CARNEGIE STREET, North Side

- Lots Nos. 4, 1 to 5 inclusive, Block Q, Plan 279.

CARNEGIE STREET, South Side

- Lots Nos. 3, 4 to 9 inclusive, Block S, Plan 279.

CATHARINE STREET, North Side

Lots Nos. 8, 1 to 6 inclusive, Block O, Plan 279.

CATHARINE STREET, South Side

Lots Nos. 7, 1 to 6 inclusive, Block Q, Plan 279.

EVELYN AVENUE, West Side

Lots Nos. 6, 43 to 53 inclusive, Block CX, Plan 301.

EVELYN AVENUE, East Side

Lots Nos. 7, 64 to 74 inclusive, Block CX, Plan 301.

GEORGE STREET, West Side

Lots Nos. 5 and 6, Block Q, Plan 279.
 Lots Nos. 6 and 7, Block O, Plan 279.
 Lots Nos. 7 and 8, Block M, Plan 279.
 Lots Nos. 8 and 9, Block K, Plan 279.

GEORGE STREET, East Side

Lots Nos. 6 and 7, Block R, Plan 279.
 Lots Nos. 7 and 8, Block P, Plan 279.
 Lots Nos. 8 and 9, Block N, Plan 279.
 Lots Nos. 9 and 10, Block L, Plan 279.

KING SOLOMON STREET, North Side

Lots Nos. 1 to 13 inclusive, Block CX, Plan 301.

KING SOLOMON STREET, South Side

Lots Nos. 5 to 8 inclusive, Block CIX, Plan 279.

BRUCE STREET, West Side

Lots Nos. 9 and 10, Block CVII, Plan 279.

BRUCE STREET, East Side

Lots Nos. "C" and 11, Block CVIII, Plan 279.

METCALFE STREET, North Side

Lots Nos. 1 to 10 inclusive, Block CVII, Plan 279.

METCALFE STREET, South Side

Lots Nos. 1 to 9 inclusive, Block CV, Plan 279.

MUTUAL STREET, West Side

Lot No. 16, Block N, Plan 279.
 Lots Nos. 20 and 22, Block I, Plan 279.
 Lots Nos. 22 and 23, Block G, Plan 279.
 Lots Nos. 22 and 21, Block D, Plan 279.

MUTUAL STREET, East Side

Lot No. 1, Block CVII, Plan 279.
 Lots Nos. 1 and 8, Block CIX, Plan 279.
 Lots Nos. 1, 22 to 32 inclusive, Block CX, Plan 301.
 Lots Nos. 33 to 39 inclusive, Block CX, Plan 301.

WILLIAM STREET, North Side

Lots Nos. 8 to 16 inclusive, Block N, Plan 279.

WILLIAM STREET, South Side

Lots Nos. 8 to 16 inclusive, Block P, Plan 279.

CHARLES STREET EAST, North Side

Lots Nos. 177 to 179 inclusive, Block XXXVII, Plan 279.
 Lots Nos. 1 to 4 inclusive, 180, Block XXXVIII, Plan 279.
 Lots Nos. 184 to 186 inclusive, 19 to 23 inclusive, Block XXXIX,
 Plan 279.

CHARLES STREET EAST, South Side

Lot No. 10, Block XLI, Plan 279.
 Lots Nos. 11 to 16 inclusive, Block XLII, Plan 279.
 Lots Nos. 1B to 3B inclusive, 1A and 2A, 4A and 5A, Block XLIII,
 Plan 279.
 Lots Nos. 1 to 8 inclusive, Block XLIV, Plan 279.

ST. ANDREWS STREET, North Side

Lots Nos. 15, 1, Block XXXVI, Plan 279.

ST. ANDREWS STREET, South Side

Lots Nos. 10 to 14 inclusive, 175, 176, 178, Block XXXVII, Plan 279.

WATER STREET, West Side

Lots Nos. 1A to 7A inclusive, 32 to 35 inclusive, Lot 10, Block XLI,
 Plan 279.

WATER STREET, East Side

Lots Nos. 11, 17, 192 and 193, 23 to 27 inclusive, Lot 29, Block XLII,
 Plan 279.

KING STREET EAST, North Side

Lots Nos. 1D to 6D inclusive, 1E to 4E inclusive, Block XLIII,
 Plan 279.
 Lot No. 201, Block LI, Plan 279.
 Lots Nos. 1A to 3A inclusive, 1 and 2, Block XLI, Plan 279.
 Lots Nos. 1 to 6 inclusive, 7A and 8A, Block L, Plan 279.

KING STREET EAST, South Side

Lots Nos. 2B to 11B inclusive, Block LII, Plan 279.
 Lots Nos. 1 and 4A, Block LIII, Plan 279.
 Lots Nos. 1 to 13 inclusive, 210, Block LIV, Plan 279.
 Lot No. 211, Block LIX, Plan 279.

MILL STREET, West Side

Lots Nos. 16 to 28 inclusive, Block XLII, Plan 279.

MILL STREET, East Side

Lots Nos. 1B, 1C to 5C inclusive, 6D, Block XLIII, Plan 279.

CARROLL STREET, West Side

Lots Nos. 1A, 1 to 11 inclusive, 1E, Block XLIII, Plan 279.

CARROLL STREET, East Side

Lot No. 1, Block XLIV, Plan 279.

Lots Nos. 1A to 5A inclusive, 194 and 201, Block LI, Plan 279.

WELLINGTON STREET, West Side

Lot No. 2B, Block LII, Plan 279.

Lots Nos. 2A, 1A, 5A, Block LII, Plan 279.

Lots Nos. 1 to 5 inclusive, Lot "A", Block LXIV, Plan 279.

Lots Nos. 1 to 4 inclusive, 15 and 16, 26 and 27, Block LXIV, Plan 279.

WELLINGTON STREET, East Side

Lots Nos. 1 to 4 inclusive, Block LIII, Plan 279.

Lots Nos. 3A to 6A inclusive, 4B, Block LV, Plan 279.

Lots Nos. 4A, 1C to 5C inclusive, Victoria Park, Block LXV, Plan 279.

NOXON STREET, North Side

Lot No. "A", Block LXIV, Plan 279.

NOXON STREET, South Side

Lots Nos. 23 to 37 inclusive, Block LXVI, Plan 279.

WELLINGTON AVENUE, North Side

Lots Nos. 2, 5 to 9 inclusive, Block LXIV, Plan 349.

WELLINGTON AVENUE, South Side

Lots Nos. 3, 10 to 14 inclusive, Block LXIV, Plan 349.

NELSON STREET, North Side

Lots Nos. 16 to 21 inclusive, Block LXIV, Plan 349.

NELSON STREET, South Side

Lots Nos. 22 to 26 inclusive, Block LXIV, Plan 349.

CONCESSION LINE STREET, North Side

Lots Nos. 4 and 1A, Block LIII, Plan 279.

Lots Nos. 239 and 240, Block LIV, Plan 279.

CONCESSION LINE STREET, South Side

Lots Nos. 3A, 2A, 1, Block LV, Plan 279.

HALL STREET, West Side

Lots Nos. 1A to 4A inclusive, Block LIII, Plan 279.

Lots Nos. 1 to 4 inclusive, 2D, 7D, 8 to 14 inclusive, Block LV, Plan 279.

HALL STREET, East Side

Lot No. 13, Block LIV, Plan 279.

Lots Nos. 1 to 7 inclusive, Block LVI, Plan 279.

Lots Nos. 8 to 13 inclusive, Block LVIII, Plan 279.

CANTERBURY STREET, North Side

Lots Nos. 244, 6A and 5A, Block LII, Plan 279.

Lots Nos. 1B to 4B inclusive, 1C to 5C inclusive, Lot 14, Block LV, Plan 279.

CANTERBURY STREET, South Side

- Lots Nos. 5 to 8 inclusive, Block LXIV, Plan 279.
- Lots Nos. 1A to 4A inclusive, 1 to 9 inclusive, Block LXV, Plan 279.

KING STREET WEST, North Side

- Lots Nos. A, B, C, D, 3A, 4A and 5A, Block IV, Plan 279.
- Lots Nos. 5 to 8 inclusive, Block V, Plan 279.
- Lots Nos. 1, 2 and 111, Block VI, Plan 279.
- Lots Nos. 1, 2, 8 and 9, Block VII, Plan 279.
- Lots Nos. 1, 2, 10 and 11, Block VIII, Plan 279.
- Lots Nos. 1 to 4 inclusive, Block IX, Plan 279.
- Lots Nos. 9 to 12 inclusive, Block X, Plan 279.
- Lots Nos. 1 to 7 inclusive, Block XI, Plan 279.
- Lots Nos. 1A to 4A inclusive, Block XII, Plan 279.
- Lots Nos. 1 to 7 inclusive, Block XII, Plan 279.
- Lot No. 6A, Block XII, Plan 279.

KING STREET WEST, South Side

- Lots Nos. 2B and 3B, Block XIII, Plan 279.
- Lots Nos. 5 to 8 inclusive and 9A, Block XIV, Plan 279.
- Lots Nos. 10 to 16 inclusive and 105, Block XV, Plan 279.
- Lots Nos. 13 to 15 inclusive and Lot 1, Block XVI, Plan 279.
- Lots Nos. 11 to 14 inclusive, Block XVII, Plan 279.
- Lots Nos. 133 and 138, Block XVIII, Plan 279.
- Lots Nos. 1 to 4 inclusive, Block XIX, Plan 279.
- Lots Nos. 1 to 4 inclusive, Block XX, Plan 279.
- Lots Nos. 142 and 143, Block XXVII, Plan 279.

CHARLES STREET WEST, North Side

- Lots Nos. 119, 120 and 2 to 9 inclusive, Block I, Plan 279.
- Lots Nos. 10A to 16A inclusive, Block I, Plan 279.
- Lots Nos. 17 to 22 inclusive, Block II, Plan 279.
- Lots Nos. 129 and 130, Block III, Plan 179.

CHARLES STREET WEST, South Side

- Lot No. 2A, Block IV, Plan 279.
- Lots Nos. 1 to 4 inclusive, Block V, Plan 279.
- Lots Nos. 113 to 118 inclusive, Block VI, Plan 279.
- Lots Nos. 5 to 7 inclusive, Block VII, Plan 279.
- Lots Nos. 3A and 4A, Block VII, Plan 279.
- Lots Nos. 1A, 2A, 6 and 7, Block VIII, Plan 279.
- Lots Nos. 10 to 12 inclusive, Block IX, Plan 279.
- Lots Nos. 3 to 6 inclusive, Block X, Plan 279.
- Lot No. 13, Block XI, Plan 279.

THAMES STREET SOUTH, West Side

- Lots Nos. 18 to 25 inclusive, Block XXXIV, Plan 279.
- Lots Nos. 10 to 17, Block I, Plan 279.
- Lots Nos. 1 to 9 inclusive, Block IV, Plan 279.
- Lots Nos. 1 to 12 inclusive, Block XIII, Plan 279.
- Lots Nos. 1, 2 and 1A, 161, 162, 163, 7A, 8A, 9A and 1B to 5B inclusive, Block XXVIII, Plan 279.
- Lots Nos. 1 to 5 inclusive, Block XXX, Plan 279.

THAMES STREET SOUTH, East Side

- Lots Nos. 18 to 22 inclusive and 23A, Block XXXV, Plan 279.
- Lots Nos. 15 to 17 inclusive, Block XXXVI, Plan 279.
- Lots Nos. 10 to 14 inclusive, Block XXXVII, Plan 279.
- Lots Nos. 1 to 9 inclusive, Block XLI, Plan 279.
- Lots Nos. 1 to 13 inclusive, Block LII, Plan 279.
- Lots Nos. 164 to 167 inclusive, Block LXIV, Plan 279.
- Lots Nos. 1 to 7 inclusive, Block LXIV, Plan 279.

OXFORD STREET, West Side

Lots Nos. 1B to 3B inclusive, Block V, Plan 279.
 Lots Nos. 1 to 5 inclusive, Block XIV, Plan 279.
 Lots Nos. 6 to 11 inclusive, Block XXI, Plan 279.
 Lots Nos. 151 to 159 inclusive, Block XXIX, Plan 279.
 Lots Nos. 1A to 5A inclusive, Block XXIX, Plan 279.

OXFORD STREET, East Side

Lots Nos. 2A, 1A and 3A, Block IV, Plan 279.
 Lots Nos. 1A to 11A inclusive, Block XIII, Plan 279.
 Lots Nos. 8, 9, 160 and 163, Block XXVIII, Plan 279.
 Lots Nos. 1C to 5C inclusive, Block XXVIII, Plan 279.
 Lots Nos. 7B to 11B inclusive, Block XXVIII, Plan 279.

DUKE STREET, West Side

Lots Nos. 3 to 5 inclusive and 112, Block VI, Plan 279.

DUKE STREET, East Side

Lots Nos. 1A, 2A and 8, Block V, Plan 279.

DUKE LANE, North Side

Lots Nos. 112 and 116, Block VI, Plan 279.

DUKE LANE, South Side

Lot No. 111, Block VI, Plan 279.

CHURCH STREET, East Side

Lots Nos. 111, 116 and 118, Block VI, Plan 279.

CHURCH STREET, West Side

Lots Nos. 1, 3, 4 and 5, Block VII, Plan 279.

EARL STREET, East Side

Lots Nos. 9 to 11 inclusive, Block XIV, Plan 279.
 Lots Nos. 3 to 5 inclusive and 6A, Block XXI, Plan 279.

EARL STREET, West Side

Lots Nos. 6 to 8 inclusive and 4, Block XV, Plan 279.
 Lots Nos. 1 to 5 inclusive, Block XXII, Plan 279.

ALBERT STREET, East Side

Lots Nos. 5A to 7A inclusive, Block VII, Plan 279.
 Lots Nos. 105 to 108 inclusive, Block XV, Plan 279.
 Lots Nos. 10 to 14 inclusive and 18, Block XXII, Plan 279.

ALBERT STREET, West Side

Lots Nos. 12 to 14 inclusive, Block VIII, Plan 279.
 Lots Nos. 1 to 7 inclusive, Block XVI, Plan 279.
 Lots Nos. 1 to 8 inclusive, Block XXIII, Plan 279.

WONHAM STREET, East Side

Lots Nos. 3 to 6 inclusive, Block VIII, Plan 279.
 Lots Nos. 8 to 12 inclusive, Block XVI, Plan 279.
 Lots Nos. 12 to 18 inclusive, Block XXIII, Plan 279.

WONHAM STREET, West Side

- Lots Nos. 7 to 9 inclusive, Block IX, Plan 279.
- Lots Nos. 6 to 10 inclusive, Block XVII, Plan 279.
- Lots Nos. 10 to 18 inclusive, Block XXIV, Plan 279.

MERRITT STREET, East Side

- Lots Nos. 12 to 16 inclusive, Block IX, Plan 279.
- Lots Nos. 1 to 4 inclusive, Block XVII, Plan 279.

MERRITT STREET, West Side

- Lots Nos. 1 to 3 inclusive, Block X, Plan 279.
- Lots Nos. 133 to 137 inclusive, 1 and 2, Block XVIII, Plan 279.

QUEEN STREET, East Side

- Lots Nos. 6 to 9 inclusive, Block X, Plan 279.

QUEEN STREET, West Side

- Lots Nos. 1 and 13, Block XI, Plan 279.

BOND STREET, East Side

- Lots Nos. 5 to 8 inclusive, Block XIX, Plan 279.

BOND STREET, West Side

- Lots Nos. 11 to 15 inclusive, Block XX, Plan 279.

WHITING STREET, East Side

- Lots Nos. 5 to 9 inclusive, Block XX, Plan 279.
- Lots Nos. 4 to 7 inclusive, Block XXVI, Plan 279.

WHITING STREET, West Side

- Lots Nos. 142 and 147, Block XXVII, Plan 279.

FRANCIS STREET, North Side

- Lots Nos. 4 to 6 inclusive, Block XVII, Plan 279.
- Lots Nos. 7 and 8, Block XVI, Plan 279.
- Lots Nos. 108, 109, 110, 4 and 5, Block XV, Plan 279.
- Lots Nos. 1A to 3A inclusive, Block XIV, Plan 279.

FRANCIS STREET, South Side

- Lots Nos. 1 to 3 inclusive, Block XXI, Plan 279.
- Lots Nos. 5 to 10 inclusive, Block XXII, Plan 279.
- Lots Nos. 8 to 11 inclusive, Block XXIII, Plan 279.
- Lots Numbers 1, 2 and 10, Block XXIV, Plan 279.

ANN STREET, North Side

- Lots Nos. 100 and 11A, Block XIII, Plan 279.

ANN STREET, South Side

- Lots Nos. 1 to 7 inclusive, Block XXVIII, Plan 279.

COTTAGE STREET, South Side

- Lots Nos. 1A to 6A inclusive, Block XXVIII, Plan 279.

OXFORD LANE, East Side

- Lots Nos. 120 to 125 inclusive, Block I, Plan 279.

OXFORD LANE, West Side

Lots Nos. 2 and 2A, Block I, Plan 279.
 Lot No. 126, Block XXXIV, Plan 279.

AVONLEA STREET, East Side

Lots Nos. 10A and 10B, Block I, Plan 279.

AVONLEA STREET, West Side

Lots Nos. 11A and 11B, Block I, Plan 279.

CATHARINE STREET, North Side

Lots Nos. 7 to 14 inclusive, Block P, Plan 279.

CATHARINE STREET, South Side

Lots Nos. 7 to 13 inclusive, Block R, Plan 279.

UNION STREET, West Side

Lots Nos. 1 to 4 inclusive, Block LXXXII, Plan 279.

UNION STREET, East Side

Lots Nos. 8, 251 to 254 inclusive, Block LXXXI, Plan 279.

NORTH TOWN LINE, South Side

Lots Nos. 40, 1 to 12 inclusive, Block A, Plan 279.

GEORGE STREET, West Side

Lots Nos. 12 and 10, Block A, Plan 279.

GEORGE STREET, East Side

Lots Nos. 13 and 11, Block B, Plan 279.

RAGLAN STREET, North Side

Lots Nos. 38, 1 to 10 inclusive, Block A, Plan 279.

RAGLAN STREET, South Side

Lots Nos. 37, 13 to 22 inclusive, Block C, Plan 279.

CHERRY STREET, North Side

Lots Nos. 2 to 8 inclusive, Block XLIV, Plan 279.
 Lots Nos. 9 to 16 inclusive, Block XLV, Plan 279.
 Lots Nos. 17 to 23 inclusive, Block XLVI, Plan 279.

CHERRY STREET, South Side

Lots Nos. 1 to 6 inclusive, Block LI, Plan 279.
 Lots Nos. 7 to 14 inclusive, Block L, Plan 279.
 Lots Nos. 15 to 24 inclusive, Block XLIX, Plan 279.

EVELYN AVENUE, East Side

Lots Nos. 75 to 84 inclusive, Plan 301.

EVELYN AVENUE, West Side

Lots Nos. 54 to 63 inclusive, Plan 301.

NOXON STREET, South Side

Lots Nos. 37 to 39 inclusive, Block LXVI, Plan 279.

THAMES STREET SOUTH, East Side

Lots Nos. 9 to 10, Block LXVI, Plan 279.

KING HIRAM STREET, South Side

Lots Nos. 1 to 9 inclusive, Block CIII, Plan 279.
 Lots Nos. 12 to 34 inclusive, Block CIV, Plan 279.

KING HIRAM STREET, North Side

Lots Nos. 1 to 10 inclusive, Block CV, Plan 279.
 Lots Nos. 11 to 27 inclusive, Block CVI, Plan 279.

CATHCART STREET, South Side

Lots Nos. 9 and 10, Block II, Plan 95.
 Lots Nos. 11 to 20 inclusive, Block I, Plan 95.

CATHCART STREET, North Side

Lots Nos. 11 to 22 inclusive, Block G, Plan 95.

INKERMAN STREET, North Side

Lots Nos. 8 and 9, Block II, Plan 95.
 Lot No. 10, Block I, Plan 95.

KING SOLOMON STREET, South Side

Lot No. "C", Block CVIII, Plan 279.

KING SOLOMON STREET, North Side

Lots Nos. 13 to 18 inclusive, Plan 301.

KENSINGTON AVENUE, West Side

Lots Nos. 85 to 95 inclusive, Plan 301.

KENSINGTON AVENUE, East Side

Lots Nos. 106 to 116 inclusive, Plan 301.

WHITING STREET, West Side

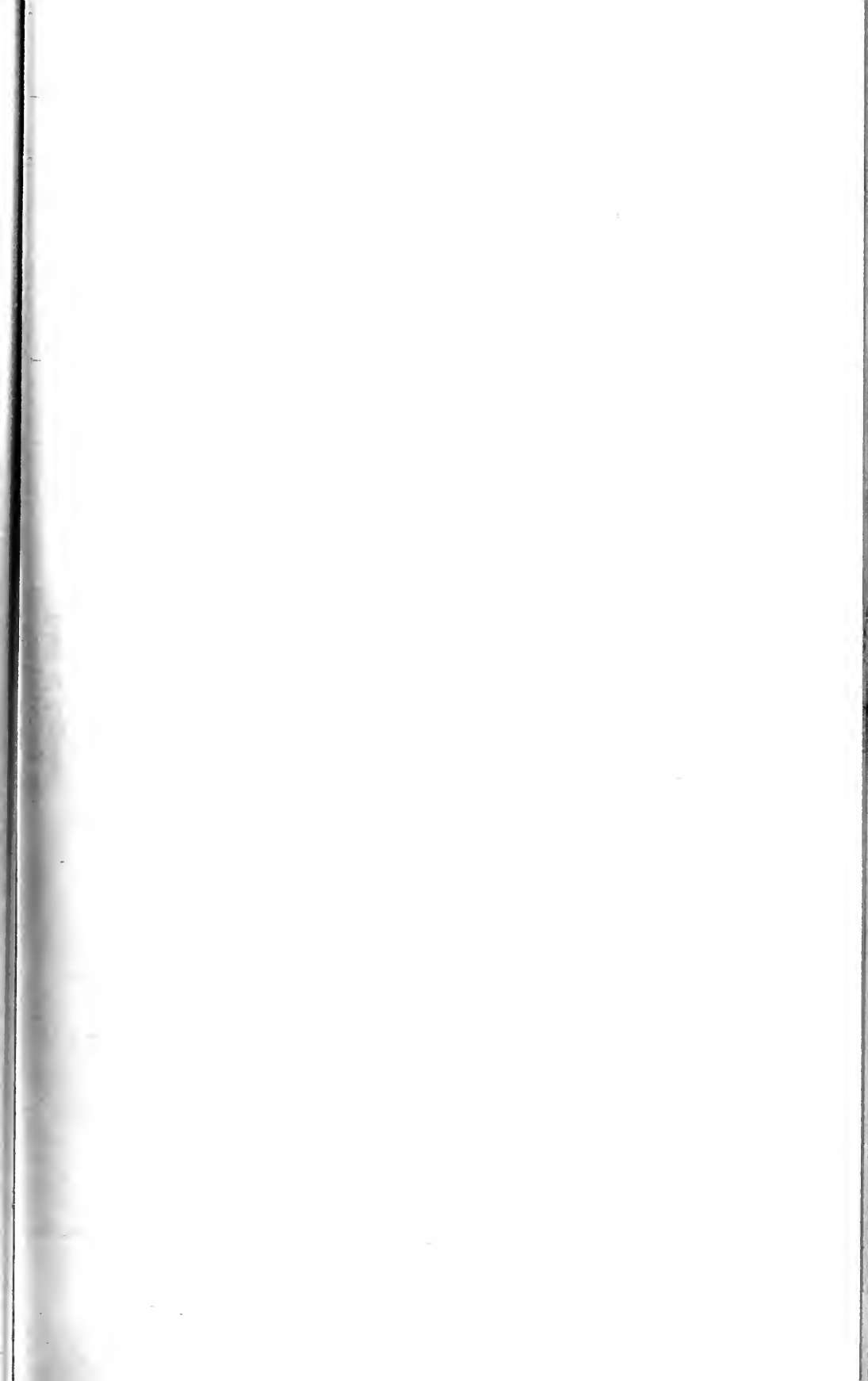
Lot No. 147, Block XXVII, Plan 279.

CHARLES STREET EAST, North Side

Lots Nos. 1 to 6 inclusive, Block XL, Plan 279.
 Lots Nos. 1 to 19 inclusive, Block XXXIX, Plan 279.

CHARLES STREET EAST, South Side

Lots Nos. 9 to 16 inclusive, Block XLV, Plan 279.
 Lots Nos. 17 to 26 inclusive, Block XLVI, Plan 279.
 Lots Nos. 1 to 4 inclusive, Block XLVII, Plan 279.
 Lots Nos. 1A to 4A inclusive, Block XLVII, Plan 279.
 Lot No. 1, Block XLVIII, Plan 279.



An Act respecting the
Town of Ingersoll

1st Reading

February 4th, 1960

2nd Reading

3rd Reading

MR. INNES

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr8

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Town of Ingersoll

MR. INNES

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr8

1960

An Act respecting the Town of Ingersoll

WHEREAS The Corporation of the Town of Ingersoll, ^{Preamble} herein called the Corporation, by its petition has represented that sewage works in the Town of Ingersoll have been constructed under the appropriate legislative provisions, that either areas have been created providing that one-third of the costs thereof, excluding maintenance, operation and management costs, shall be assessed and levied on all the rateable property in the Town and that the remaining two-thirds of the costs thereof shall be assessed and levied on the rateable property in the Town set forth in the Schedule hereto, the owners or occupants of which derive an immediate benefit from such sewage construction and operation, or a sewer rate has been provided to be imposed upon the owners deriving a benefit from such sewage works and that, in addition to the two-thirds share of the costs thereof, provision has been made for such annual sums as may be required for the costs of maintenance, operation and management thereof; and whereas all areas in the Town of Ingersoll benefit by the fact that sewage works are constructed and it is desirable to provide,

- (a) that one-third of the capital costs of all sewage works shall be assessed and levied on all the rateable property in the Town;
- (b) that the remaining two-thirds of the capital costs of all sewage works shall be assessed and levied on all rateable property in the Town, set forth in the Schedule hereto, the owners or occupants of which derive an immediate benefit therefrom; and
- (c) that By-laws Nos. 2020, 2043, 2078, 2164, 2193 and 2255, and the levies heretofore made thereunder, be validated and confirmed and declared to be legal, valid and binding upon the Corporation and the ratepayers thereof from the respective dates of the passing of such by-laws;

and whereas the petitioner has prayed for special legislation in connection therewith; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Interpre-
tation

1. In this Act,

- (a) "capital costs" means the costs of constructing sewage works, inclusive of all items of cost usually and properly chargeable to capital account;
- (b) "sewage works" means any public works for the treatment or disposal of sewage, including the sites for the erection of such works, the outfall pipes to carry the effluent from such works, the inlet pipes located on such sites and major trunk sanitary sewer designed to serve the areas, and pumping stations used in connection therewith.

Capital
cost of
existing
sewage
works

2. Notwithstanding any Act or by-law to the contrary, one-third of all the outstanding capital costs and capital charges for sewage works in the Town of Ingersoll existing on the 1st day of January, 1960, shall be assessed and levied on all the rateable property in the Town and the remaining two-thirds of the capital costs and capital charges for such sewage works shall be assessed and levied on the rateable property in the Town set forth in the Schedule hereto, the owners or occupants of which derive an immediate benefit therefrom and on all land the owners or occupants of which derive or will or may derive a benefit from any future extension or addition to the sewage works existing on the 1st day of January, 1960.

Area rates
prohibited

3. Notwithstanding any Act or by-law to the contrary, no rate shall be levied upon any area or areas in the Town of Ingersoll other than the rates provided for in section 2 with respect to outstanding capital costs and capital charges of sewage works of the Town existing on the 1st day of January, 1960.

Approval
of future
by-law
required
R.S.O. 1950,
c. 243

4. Notwithstanding the other provisions of this Act, hereafter all by-laws of the Town of Ingersoll, relating to sewage works of the Town, shall be approved in accordance with the terms of *The Municipal Act* or any other Act relating thereto.

Operation
costs

5. The maintenance, operation and management costs of sewage works constructed under any by-law of the Town of Ingersoll existing on the 1st day of January, 1960, shall be

assessed and levied on the rateable property in the Town set forth in the Schedule hereto, the owners or occupants of which derive an immediate benefit therefrom and on all land the owners or occupants of which derive or will or may derive a benefit from any future extension or addition to the sewage works existing on the 1st day of January, 1960.

6. Notwithstanding *The Local Improvement Act* or *The Ontario Water Resources Commission Act, 1957*, the council of the Corporation may by by-law undertake the construction of sewage works in accordance with *The Local Improvement Act* or enter into agreements with the Ontario Water Resources Commission and provide therein that the capital costs and capital charges thereof shall be assessed and levied on the basis set out in section 2 and further providing that the maintenance, operation and management costs shall be assessed and levied on the basis set out in section 5.

Future
sewage
works
R.S.O. 1950
c. 215;
1957, c. 88

7. By-laws Nos. 2020, 2043, 2078, 2164, 2193 and 2255 of the Corporation, and the levies heretofore made thereunder, are hereby validated and confirmed and declared to be legal, valid and binding upon the Corporation and the ratepayers thereof from the respective dates of the passing of such by-laws.

By-laws
validated

8. This Act shall be deemed to have come into force on the 1st day of January, 1960.

Commence-
ment

9. This Act may be cited as *The Town of Ingersoll Act*, 1960.

Short title

SCHEDULE

THAMES STREET NORTH, West Side

- Lots Nos. 2 and 3, Block LXXIII, Plan 279.
- Lots Nos. 1 to 3, 5B and the west half of Lot 6B, Block LXXX, Plan 279.
- Lots Nos. 7A to 18A inclusive, Block LXXXVII, Plan 279.
- Lots Nos. 266 to 275 inclusive, 277 and 278, 1A and 2A, Block CI, Plan 279.

THAMES STREET NORTH, East Side

- Lots Nos. 4 to 7 inclusive, Block Q, Plan 279.
- Lots Nos. 8 to 11 inclusive, Block O, Plan 279.
- Lots Nos. 12 to 15 inclusive, Block M, Plan 279.
- Lots Nos. 16 to 19 inclusive, Block K, Plan 279.
- Lots Nos. 20 to 23 inclusive, Block H, Plan 279.
- Lots Nos. 24 to 27 inclusive, Block F, Plan 279.
- Lots Nos. 28 to 31 inclusive, Block E, Plan 279.
- Lots Nos. 32 to 37 inclusive, Block C, Plan 279.

VICTORIA STREET, South Side

- Lots Nos. 3, 296, 297, 249, 4, 5, 6, 12, 13 and 1A, Block LXXIII, Plan 279.
- Lots Nos. 11 to 21 inclusive, 1 to 7 inclusive, Block LXXIV, Plan 279.

VICTORIA STREET, North Side

- Lots Nos. 3 to 10 inclusive, Block LXXX, Plan 279.
- Lots Nos. 1 to 8 inclusive, Block LXXXI, Plan 279.
- Lots Nos. 1, 2A to 8A inclusive, Block LXXXII, Plan 279.

BELL STREET, North Side

- Lots Nos. 7A, 21 and 1, Block LXXXVII, Plan 279.

JOHN STREET, East Side

- Lots Nos. 5A and 6A, Block LXXX, Plan 279.
- Lots Nos. 1 to 13 inclusive, Block LXXXVII, Plan 279.

JOHN STREET, West Side

- Lots Nos. 250, 1A to 3A inclusive, Block LXXXI, Plan 279.
- Lots Nos. 4 to 13 inclusive, 17, Block LXXXVIII, Plan 279.

ALMA STREET, North Side

- Lots Nos. 6 to 8 inclusive, Block K, Plan 279.
- Lots Nos. 9 to 18 inclusive, Block L, Plan 279.

ALMA STREET, South Side

- Lots Nos. 6 to 8 inclusive, Block M, Plan 279.
- Lots Nos. 9 to 18 inclusive, Block N, Plan 279.

CARNEGIE STREET, North Side

- Lots Nos. 4, 1 to 5 inclusive, Block Q, Plan 279.

CARNEGIE STREET, South Side

- Lots Nos. 3, 4 to 9 inclusive, Block S, Plan 279.

CATHARINE STREET, North Side

Lots Nos. 8, 1 to 6 inclusive, Block O, Plan 279.

CATHARINE STREET, South Side

Lots Nos. 7, 1 to 6 inclusive, Block Q, Plan 279.

EVELYN AVENUE, West Side

Lots Nos. 6, 43 to 53 inclusive, Block CX, Plan 301.

EVELYN AVENUE, East Side

Lots Nos. 7, 64 to 74 inclusive, Block CX, Plan 301.

GEORGE STREET, West Side

Lots Nos. 5 and 6, Block Q, Plan 279.

Lots Nos. 6 and 7, Block O, Plan 279.

Lots Nos. 7 and 8, Block M, Plan 279.

Lots Nos. 8 and 9, Block K, Plan 279.

GEORGE STREET, East Side

Lots Nos. 6 and 7, Block R, Plan 279.

Lots Nos. 7 and 8, Block P, Plan 279.

Lots Nos. 8 and 9, Block N, Plan 279.

Lots Nos. 9 and 10, Block L, Plan 279.

KING SOLOMON STREET, North Side

Lots Nos. 1 to 13 inclusive, Block CX, Plan 301.

KING SOLOMON STREET, South Side

Lots Nos. 5 to 8 inclusive, Block CIX, Plan 279.

BRUCE STREET, West Side

Lots Nos. 9 and 10, Block CVII, Plan 279.

BRUCE STREET, East Side

Lots Nos. "C" and 11, Block CVIII, Plan 279.

METCALFE STREET, North Side

Lots Nos. 1 to 10 inclusive, Block CVII, Plan 279.

METCALFE STREET, South Side

Lots Nos. 1 to 9 inclusive, Block CV, Plan 279.

MUTUAL STREET, West Side

Lot No. 16, Block N, Plan 279.

Lots Nos. 20 and 22, Block I, Plan 279.

Lots Nos. 22 and 23, Block G, Plan 279.

Lots Nos. 22 and 21, Block D, Plan 279.

MUTUAL STREET, East Side

Lot No. 1, Block CVII, Plan 279.

Lots Nos. 1 and 8, Block CIX, Plan 279.

Lots Nos. 1, 22 to 32 inclusive, Block CX, Plan 301.

Lots Nos. 33 to 39 inclusive, Block CX, Plan 301.

WILLIAM STREET, North Side

Lots Nos. 8 to 16 inclusive, Block N, Plan 279.

WILLIAM STREET, South Side

Lots Nos. 8 to 16 inclusive, Block P, Plan 279.

CHARLES STREET EAST, North Side

Lots Nos. 177 to 179 inclusive, Block XXXVII, Plan 279.

Lots Nos. 1 to 4 inclusive, 180, Block XXXVIII, Plan 279.

Lots Nos. 184 to 186 inclusive, 19 to 23 inclusive, Block XXXIX, Plan 279.

CHARLES STREET EAST, South Side

Lot No. 10, Block XLI, Plan 279.

Lots Nos. 11 to 16 inclusive, Block XLII, Plan 279.

Lots Nos. 1B to 3B inclusive, 1A and 2A, 4A and 5A, Block XLIII, Plan 279.

Lots Nos. 1 to 8 inclusive, Block XLIV, Plan 279.

ST. ANDREWS STREET, North Side

Lots Nos. 15, 1, Block XXXVI, Plan 279.

ST. ANDREWS STREET, South Side

Lots Nos. 10 to 14 inclusive, 175, 176, 178, Block XXXVII, Plan 279.

WATER STREET, West Side

Lots Nos. 1A to 7A inclusive, 32 to 35 inclusive, Lot 10, Block XLI, Plan 279.

WATER STREET, East Side

Lots Nos. 11, 17, 192 and 193, 23 to 27 inclusive, Lot 29, Block XLII, Plan 279.

KING STREET EAST, North Side

Lots Nos. 1D to 6D inclusive, 1E to 4E inclusive, Block XLIII, Plan 279.

Lot No. 20I, Block LI, Plan 279.

Lots Nos. 1A to 3A inclusive, 1 and 2, Block XLI, Plan 279.

Lots Nos. 1 to 6 inclusive, 7A and 8A, Block L, Plan 279.

KING STREET EAST, South Side

Lots Nos. 2B to 11B inclusive, Block LII, Plan 279.

Lots Nos. 1 and 4A, Block LIII, Plan 279.

Lots Nos. 1 to 13 inclusive, 210, Block LIV, Plan 279.

Lot No. 211, Block LIX, Plan 279.

MILL STREET, West Side

Lots Nos. 16 to 28 inclusive, Block XLII, Plan 279.

MILL STREET, East Side

Lots Nos. 1B, 1C to 5C inclusive, 6D, Block XLIII, Plan 279.

CARROLL STREET, West Side

Lots Nos. 1A, 1 to 11 inclusive, 1E, Block XLIII, Plan 279.

CARROLL STREET, East Side

Lot No. 1, Block XLIV, Plan 279.

Lots Nos. 1A to 5A inclusive, 194 and 201, Block LI, Plan 279.

WELLINGTON STREET, West Side

Lot No. 2B, Block LII, Plan 279.

Lots Nos. 2A, 1A, 5A, Block LII, Plan 279.

Lots Nos. 1 to 5 inclusive, Lot "A", Block LXIV, Plan 279.

Lots Nos. 1 to 4 inclusive, 15 and 16, 26 and 27, Block LXIV, Plan 279.

WELLINGTON STREET, East Side

Lots Nos. 1 to 4 inclusive, Block LIII, Plan 279.

Lots Nos. 3A to 6A inclusive, 4B, Block LV, Plan 279.

Lots Nos. 4A, 1C to 5C inclusive, Victoria Park, Block LXV, Plan 279.

NOXON STREET, North Side

Lot No. "A", Block LXIV, Plan 279.

NOXON STREET, South Side

Lots Nos. 23 to 37 inclusive, Block LXVI, Plan 279.

WELLINGTON AVENUE, North Side

Lots Nos. 2, 5 to 9 inclusive, Block LXIV, Plan 349.

WELLINGTON AVENUE, South Side

Lots Nos. 3, 10 to 14 inclusive, Block LXIV, Plan 349.

NELSON STREET, North Side

Lots Nos. 16 to 21 inclusive, Block LXIV, Plan 349.

NELSON STREET, South Side

Lots Nos. 22 to 26 inclusive, Block LXIV, Plan 349.

CONCESSION LINE STREET, North Side

Lots Nos. 4 and 1A, Block LIII, Plan 279.

Lots Nos. 239 and 240, Block LIV, Plan 279.

CONCESSION LINE STREET, South Side

Lots Nos. 3A, 2A, 1, Block LV, Plan 279.

HALL STREET, West Side

Lots Nos. 1A to 4A inclusive, Block LIII, Plan 279.

Lots Nos. 1 to 4 inclusive, 2D, 7D, 8 to 14 inclusive, Block LV, Plan 279.

HALL STREET, East Side

Lot No. 13, Block LIV, Plan 279.

Lots Nos. 1 to 7 inclusive, Block LVI, Plan 279.

Lots Nos. 8 to 13 inclusive, Block LVIII, Plan 279.

CANTERBURY STREET, North Side

Lots Nos. 244, 6A and 5A, Block LII, Plan 279.

Lots Nos. 1B to 4B inclusive, 1C to 5C inclusive, Lot 14, Block LV, Plan 279.

CANTERBURY STREET, South Side

Lots Nos. 5 to 8 inclusive, Block LXIV, Plan 279.

Lots Nos. 1A to 4A inclusive, 1 to 9 inclusive, Block LXV, Plan 279.

KING STREET WEST, North Side

Lots Nos. A, B, C, D, 3A, 4A and 5A, Block IV, Plan 279.

Lots Nos. 5 to 8 inclusive, Block V, Plan 279.

Lots Nos. 1, 2 and 111, Block VI, Plan 279.

Lots Nos. 1, 2, 8 and 9, Block VII, Plan 279.

Lots Nos. 1, 2, 10 and 11, Block VIII, Plan 279.

Lots Nos. 1 to 4 inclusive, Block IX, Plan 279.

Lots Nos. 9 to 12 inclusive, Block X, Plan 279.

Lots Nos. 1 to 7 inclusive, Block XI, Plan 279.

Lots Nos. 1A to 4A inclusive, Block XII, Plan 279.

Lots Nos. 1 to 7 inclusive, Block XII, Plan 279.

Lot No. 6A, Block XII, Plan 279.

KING STREET WEST, South Side

Lots Nos. 2B and 3B, Block XIII, Plan 279.

Lots Nos. 5 to 8 inclusive and 9A, Block XIV, Plan 279.

Lots Nos. 10 to 16 inclusive and 105, Block XV, Plan 279.

Lots Nos. 13 to 15 inclusive and Lot 1, Block XVI, Plan 279.

Lots Nos. 11 to 14 inclusive, Block XVII, Plan 279.

Lots Nos. 133 and 138, Block XVIII, Plan 279.

Lots Nos. 1 to 4 inclusive, Block XIX, Plan 279.

Lots Nos. 1 to 4 inclusive, Block XX, Plan 279.

Lots Nos. 142 and 143, Block XXVII, Plan 279.

CHARLES STREET WEST, North Side

Lots Nos. 119, 120 and 2 to 9 inclusive, Block I, Plan 279.

Lots Nos. 10A to 16A inclusive, Block I, Plan 279.

Lots Nos. 17 to 22 inclusive, Block II, Plan 279.

Lots Nos. 129 and 130, Block III, Plan 279.

CHARLES STREET WEST, South Side

Lot No. 2A, Block IV, Plan 279.

Lots Nos. 1 to 4 inclusive, Block V, Plan 279.

Lots Nos. 113 to 118 inclusive, Block VI, Plan 279.

Lots Nos. 5 to 7 inclusive, Block VII, Plan 279.

Lots Nos. 3A and 4A, Block VII, Plan 279.

Lots Nos. 1A, 2A, 6 and 7, Block VIII, Plan 279.

Lots Nos. 10 to 12 inclusive, Block IX, Plan 279.

Lots Nos. 3 to 6 inclusive, Block X, Plan 279.

Lot No. 13, Block XI, Plan 279.

THAMES STREET SOUTH, West Side

Lots Nos. 18 to 25 inclusive, Block XXXIV, Plan 279.

Lots Nos. 10 to 17, Block I, Plan 279.

Lots Nos. 1 to 9 inclusive, Block IV, Plan 279.

Lots Nos. 1 to 12 inclusive, Block XIII, Plan 279.

Lots Nos. 1, 2 and 1A, 161, 162, 163, 7A, 8A, 9A and 1B to 5B inclusive,
Block XXVIII, Plan 279.

Lots Nos. 1 to 5 inclusive, Block XXX, Plan 279.

THAMES STREET SOUTH, East Side

Lots Nos. 18 to 22 inclusive and 23A, Block XXXV, Plan 279.

Lots Nos. 15 to 17 inclusive, Block XXXVI, Plan 279.

Lots Nos. 10 to 14 inclusive, Block XXXVII, Plan 279.

Lots Nos. 1 to 9 inclusive, Block XLI, Plan 279.

Lots Nos. 1 to 13 inclusive, Block LII, Plan 279.

Lots Nos. 164 to 167 inclusive, Block LXIV, Plan 279.

Lots Nos. 1 to 7 inclusive, Block LXIV, Plan 279.

OXFORD STREET, West Side

Lots Nos. 1B to 3B inclusive, Block V, Plan 279.
 Lots Nos. 1 to 5 inclusive, Block XIV, Plan 279.
 Lots Nos. 6 to 11 inclusive, Block XXI, Plan 279.
 Lots Nos. 151 to 159 inclusive, Block XXIX, Plan 279.
 Lots Nos. 1A to 5A inclusive, Block XXIX, Plan 279.

OXFORD STREET, East Side

Lots Nos. 2A, 1A and 3A, Block IV, Plan 279.
 Lots Nos. 1A to 11A inclusive, Block XIII, Plan 279.
 Lots Nos. 8, 9, 160 and 163, Block XXVIII, Plan 279.
 Lots Nos. 1C to 5C inclusive, Block XXVIII, Plan 279.
 Lots Nos. 7B to 11B inclusive, Block XXVIII, Plan 279.

DUKE STREET, West Side

Lots Nos. 3 to 5 inclusive and 112, Block VI, Plan 279.

DUKE STREET, East Side

Lots Nos. 1A, 2A and 8, Block V, Plan 279.

DUKE LANE, North Side

Lots Nos. 112 and 116, Block VI, Plan 279.

DUKE LANE, South Side

Lot No. 111, Block VI, Plan 279.

CHURCH STREET, East Side

Lots Nos. 111, 116 and 118, Block VI, Plan 279.

CHURCH STREET, West Side

Lots Nos. 1, 3, 4 and 5, Block VII, Plan 279.

EARL STREET, East Side

Lots Nos. 9 to 11 inclusive, Block XIV, Plan 279.
 Lots Nos. 3 to 5 inclusive and 6A, Block XXI, Plan 279.

EARL STREET, West Side

Lots Nos. 6 to 8 inclusive and 4, Block XV, Plan 279.
 Lots Nos. 1 to 5 inclusive, Block XXII, Plan 279.

ALBERT STREET, East Side

Lots Nos. 5A to 7A inclusive, Block VII, Plan 279.
 Lots Nos. 105 to 108 inclusive, Block XV, Plan 279.
 Lots Nos. 10 to 14 inclusive and 18, Block XXII, Plan 279.

ALBERT STREET, West Side

Lots Nos. 12 to 14 inclusive, Block VIII, Plan 279.
 Lots Nos. 1 to 7 inclusive, Block XVI, Plan 279.
 Lots Nos. 1 to 8 inclusive, Block XXIII, Plan 279.

WONHAM STREET, East Side

Lots Nos. 3 to 6 inclusive, Block VIII, Plan 279.
 Lots Nos. 8 to 12 inclusive, Block XVI, Plan 279.
 Lots Nos. 12 to 18 inclusive, Block XXIII, Plan 279.

WONHAM STREET, West Side

- Lots Nos. 7 to 9 inclusive, Block IX, Plan 279.
- Lots Nos. 6 to 10 inclusive, Block XVII, Plan 279.
- Lots Nos. 10 to 18 inclusive, Block XXIV, Plan 279.

MERRITT STREET, East Side

- Lots Nos. 12 to 16 inclusive, Block IX, Plan 279.
- Lots Nos. 1 to 4 inclusive, Block XVII, Plan 279.

MERRITT STREET, West Side

- Lots Nos. 1 to 3 inclusive, Block X, Plan 279.
- Lots Nos. 133 to 137 inclusive, 1 and 2, Block XVIII, Plan 279.

QUEEN STREET, East Side

- Lots Nos. 6 to 9 inclusive, Block X, Plan 279.

QUEEN STREET, West Side

- Lots Nos. 1 and 13, Block XI, Plan 279.

BOND STREET, East Side

- Lots Nos. 5 to 8 inclusive, Block XIX, Plan 279.

BOND STREET, West Side

- Lots Nos. 11 to 15 inclusive, Block XX, Plan 279.

WHITING STREET, East Side

- Lots Nos. 5 to 9 inclusive, Block XX, Plan 279.
- Lots Nos. 4 to 7 inclusive, Block XXVI, Plan 279.

WHITING STREET, West Side

- Lots Nos. 142 and 147, Block XXVII, Plan 279.

FRANCIS STREET, North Side

- Lots Nos. 4 to 6 inclusive, Block XVII, Plan 279.
- Lots Nos. 7 and 8, Block XVI, Plan 279.
- Lots Nos. 108, 109, 110, 4 and 5, Block XV, Plan 279.
- Lots Nos. 1A to 3A inclusive, Block XIV, Plan 279.

FRANCIS STREET, South Side

- Lots Nos. 1 to 3 inclusive, Block XXI, Plan 279.
- Lots Nos. 5 to 10 inclusive, Block XXII, Plan 279.
- Lots Nos. 8 to 11 inclusive, Block XXIII, Plan 279.
- Lots Numbers 1, 2 and 10, Block XXIV, Plan 279.

ANN STREET, North Side

- Lots Nos. 100 and 11A, Block XIII, Plan 279.

ANN STREET, South Side

- Lots Nos. 1 to 7 inclusive, Block XXVIII, Plan 279.

COTTAGE STREET, South Side

- Lots Nos. 1A to 6A inclusive, Block XXVIII, Plan 279.

OXFORD LANE, East Side

- Lots Nos. 120 to 125 inclusive, Block I, Plan 279.

OXFORD LANE, West Side

Lots Nos. 2 and 2A, Block I, Plan 279.
Lot No. 126, Block XXXIV, Plan 279.

AVONLEA STREET, East Side

Lots Nos. 10A and 10B, Block I, Plan 279.

AVONLEA STREET, West Side

Lots Nos. 11A and 11B, Block I, Plan 279.

CATHARINE STREET, North Side

Lots Nos. 7 to 14 inclusive, Block P, Plan 279.

CATHARINE STREET, South Side

Lots Nos. 7 to 13 inclusive, Block R, Plan 279.

UNION STREET, West Side

Lots Nos. 1 to 4 inclusive, Block LXXXII, Plan 279.

UNION STREET, East Side

Lots Nos. 8, 251 to 254 inclusive, Block LXXXI, Plan 279.

NORTH TOWN LINE, South Side

Lots Nos. 40, 1 to 12 inclusive, Block A, Plan 279.

GEORGE STREET, West Side

Lots Nos. 12 and 10, Block A, Plan 279.

GEORGE STREET, East Side

Lots Nos. 13 and 11, Block B, Plan 279.

RAGLAN STREET, North Side

Lots Nos. 38, 1 to 10 inclusive, Block A, Plan 279.

RAGLAN STREET, South Side

Lots Nos. 37, 13 to 22 inclusive, Block C, Plan 279.

CHERRY STREET, North Side

Lots Nos. 2 to 8 inclusive, Block XLIV, Plan 279.
Lots Nos. 9 to 16 inclusive, Block XLV, Plan 279.
Lots Nos. 17 to 23 inclusive, Block XLVI, Plan 279.

CHERRY STREET, South Side

Lots Nos. 1 to 6 inclusive, Block LI, Plan 279.
Lots Nos. 7 to 14 inclusive, Block L, Plan 279.
Lots Nos. 15 to 24 inclusive, Block XLIX, Plan 279.

EVELYN AVENUE, East Side

Lots Nos. 75 to 84 inclusive, Plan 301.

EVELYN AVENUE, West Side

Lots Nos. 54 to 63 inclusive, Plan 301.

NOXON STREET, South Side

Lots Nos. 37 to 39 inclusive, Block LXVI, Plan 279.

THAMES STREET SOUTH, East Side

Lots Nos. 9 to 10, Block LXVI, Plan 279.

KING HIRAM STREET, South Side

Lots Nos. 1 to 9 inclusive, Block CIII, Plan 279.
 Lots Nos. 12 to 34 inclusive, Block CIV, Plan 279.

KING HIRAM STREET, North Side

Lots Nos. 1 to 10 inclusive, Block CV, Plan 279.
 Lots Nos. 11 to 27 inclusive, Block CVI, Plan 279.

CATHCART STREET, South Side

Lots Nos. 9 and 10, Block II, Plan 95.
 Lots Nos. 11 to 20 inclusive, Block I, Plan 95.

CATHCART STREET, North Side

Lots Nos. 11 to 22 inclusive, Block G, Plan 95.

INKERMAN STREET, North Side

Lots Nos. 8 and 9, Block II, Plan 95.
 Lot No. 10, Block I, Plan 95.

KING SOLOMON STREET, South Side

Lot No. "C", Block CVIII, Plan 279.

KING SOLOMON STREET, North Side

Lots Nos. 13 to 18 inclusive, Plan 301.

KENSINGTON AVENUE, West Side

Lots Nos. 85 to 95 inclusive, Plan 301.

KENSINGTON AVENUE, East Side

Lots Nos. 106 to 116 inclusive, Plan 301.

WHITING STREET, West Side

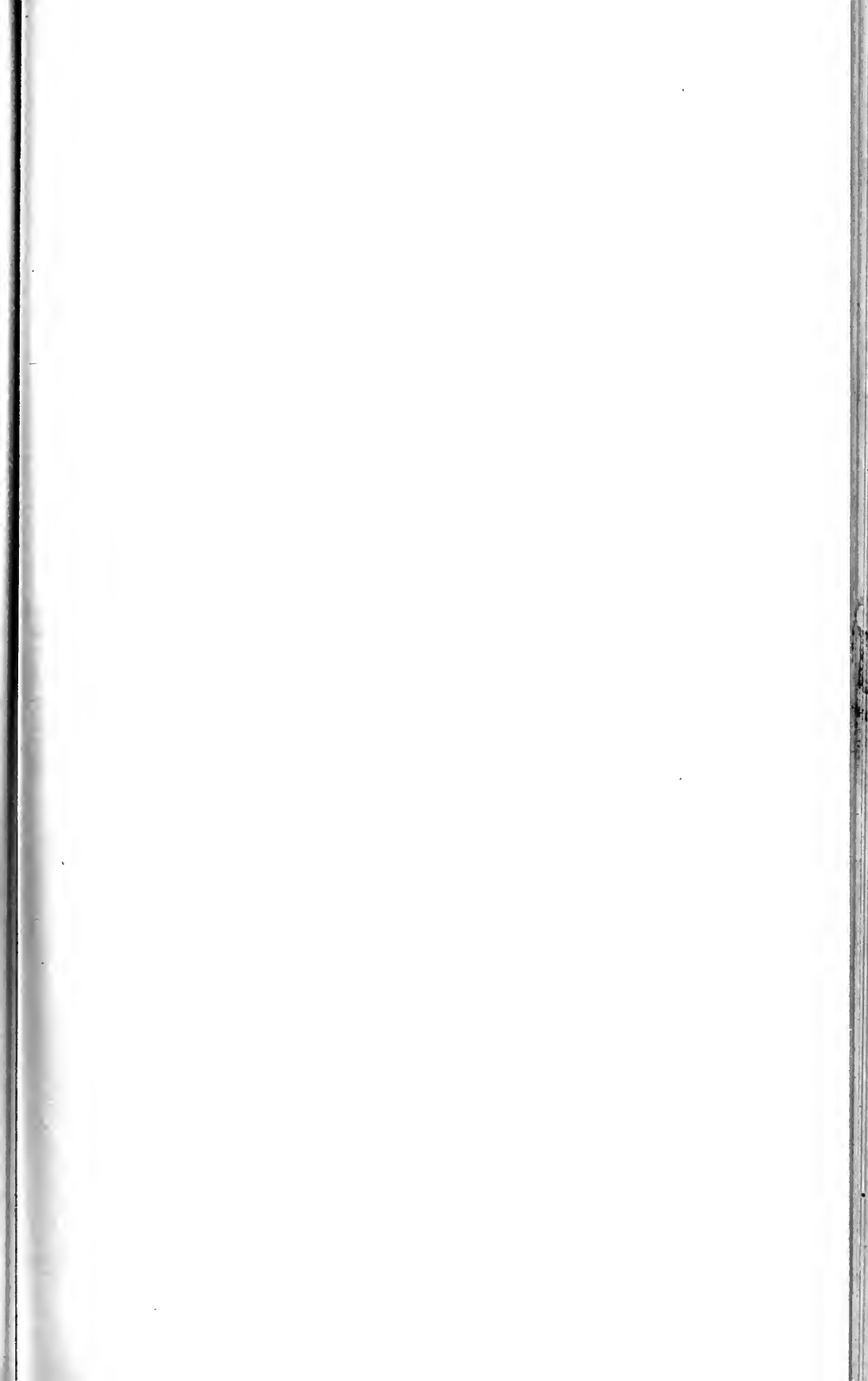
Lot No. 147, Block XXVII, Plan 279.

CHARLES STREET EAST, North Side

Lots Nos. 1 to 6 inclusive, Block XL, Plan 279.
 Lots Nos. 1 to 19 inclusive, Block XXXIX, Plan 279.

CHARLES STREET EAST, South Side

Lots Nos. 9 to 16 inclusive, Block XLV, Plan 279.
 Lots Nos. 17 to 26 inclusive, Block XLVI, Plan 279.
 Lots Nos. 1 to 4 inclusive, Block XLVII, Plan 279.
 Lots Nos. 1A to 4A inclusive, Block XLVII, Plan 279.
 Lot No. 1, Block XLVIII, Plan 279.



An Act respecting the
Town of Ingersoll

1st Reading

February 4th, 1960

2nd Reading

February 22nd, 1960

3rd Reading

March 3rd, 1960

MR. INNES

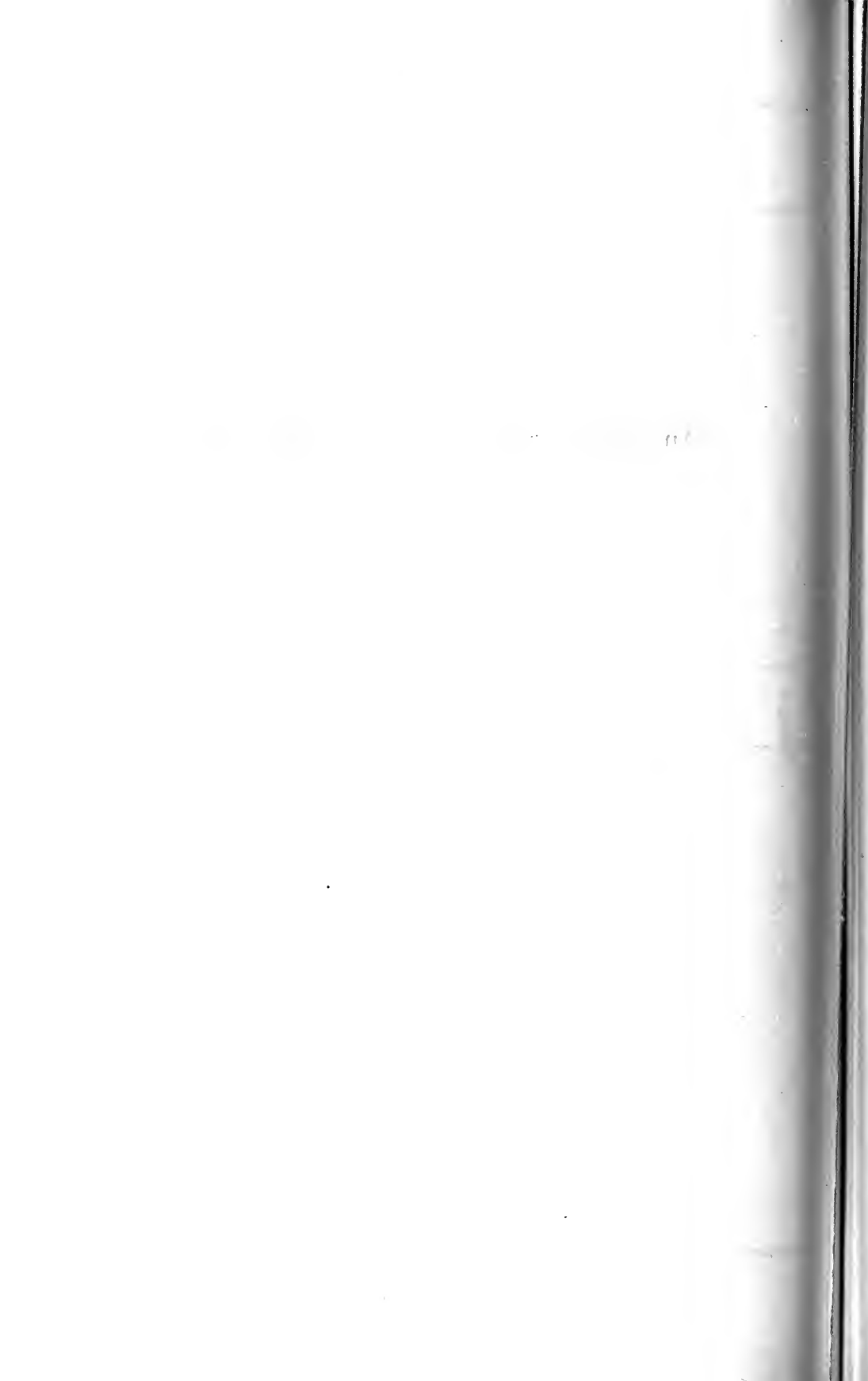
BILL Pr9

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Town of Orillia

MR. LETHERBY

(PRIVATE BILL)



BILL Pr9

1960

An Act respecting the Town of Orillia

WHEREAS The Corporation of the Town of Orillia, ^{Preamble} herein called the Corporation, by its petition has represented that on or about the 29th day of May, 1958, the Corporation passed By-law No. 3627 of the Town of Orillia respecting The Leacock Memorial Home Board, which by-law governs the composition of the Board and the administration, maintenance and general upkeep of the Stephen Leacock Memorial Home, situate within the boundaries of the Town of Orillia; and whereas there appears to be no specific authority for passing such by-law; and whereas the petitioner has prayed for special legislation validating and confirming By-law No. 3627; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 3627 of the Corporation, set forth as the Schedule hereto, is hereby validated and confirmed and declared to be legal, valid and binding upon the Corporation and the ratepayers thereof from the date of the passing of such by-law. ^{By-law validated}
2. This Act comes into force on the day it receives Royal Assent. ^{Commencement}
3. This Act may be cited as *The Town of Orillia Act, 1960*. ^{Short title}

SCHEDULE

BY-LAW NO. 3627 OF THE TOWN OF ORILLIA

A BY-LAW RESPECTING THE LEACOCK MEMORIAL HOME BOARD

WHEREAS Stephen Butler Leacock, Canada's greatest humourist and leading author during the first half of the twentieth century, was a resident of Orillia during that period, and made the town famous by drawing upon its activities and personalities for the material for his most popular book "Sunshine Sketches of a Little Town".

AND WHEREAS The Municipal Corporation of the Town of Orillia has purchased the home of Stephen Leacock on Old Brewery Bay within the Town limits for development as a permanent national memorial to this great citizen, and as a literary centre and tourist attraction.

AND WHEREAS it is deemed expedient and advisable to form a distinctive body and organization to undertake the development and administration of the property in the direction indicated in the previous paragraph.

NOW, THEREFORE, THE MUNICIPAL CORPORATION OF THE TOWN OF ORILLIA HEREBY ENACTS as follows:

1. There shall be constituted a Board composed of eight members, six of whom shall be appointed by the Town Council (of which two shall be from the Town Council itself) and two shall be appointed by the Executive of the Stephen Leacock Associates, such Board to be known as, and bear the name of The Leacock Memorial Home Board.

2. That two of the original members appointed by the Council shall hold office for a term of three years, and two shall hold office for two years. Subsequent appointments shall be for three years. The members appointed from the Town Council shall hold office for one year only.

3. All terms of office shall date as from the first of January in the years they are made. Vacancies due to death, resignation or removal from the Municipality may be filled for the unexpired portion of the term of the member involved.

4. The Board shall elect a Chairman, Secretary and Treasurer, or Secretary-Treasurer; the latter may be a member of the staff employed at the Home. They should be elected annually, but shall in any case hold office till their successors are elected.

5. The Board is hereby authorized and charged to operate and maintain the property for the purposes set forth in the preamble. They shall engage the necessary staff and other help, provide for the protection of the libraries and other treasures, maintain adequate insurance, effect repairs and perform all other duties of administration required to maintain the buildings and grounds in good order.

6. Should there be space available in the home beyond that required for the display of Leacock Memorabilia, it may be used for showing other historical material connected with the history of Orillia.

7. The Home and grounds shall be open to the public on seven days in the week throughout the tourist season, subject to an admission charge. Members of the Stephen Leacock Associates shall be entitled to the Home without charge on presenting their non-transferable membership cards for the current year.

8. The Board shall seek to provide the funds required for carrying out their duties by such means as admission fees, grants-in-aids, sale of souvenirs and other similar methods. Should there be a shortage in any years, they may make a requisition on the Town Council to cover it. Should there be a surplus, it may be applied to objects calculated to keep alive and spread interest in Stephen Leacock and his works.

9. The said Board shall be responsible for carrying out the terms of any agreement reached between the Town of Orillia and the Government of Canada, with respect to the establishment of the Stephen B. Leacock monument or memorial as a National Historic Site on the Old Brewery Bay property.

10. Schedule "A" to this By-law so far as it applies to the administration, maintenance and general upkeep of the Home shall be considered as part of this By-law.

READ A FIRST, SECOND AND THIRD TIME and finally passed this the 29th day of May, A.D. 1958.

A. J. TRUMAN,
Mayor.

H. E. M. PAYNE,
Clerk.

Schedule "A"

THE STEPHEN LEACOCK ASSOCIATES

As an auxiliary to the Leacock Memorial Home Board, it is proposed to have a voluntary organization composed of friends and admirers of the wizard of Old Brewery Bay, to be known as the Stephen Leacock Associates. The object of the body shall be to widen public interest in the Memorial Home, to as great a degree as possible in the Leacock legend.

Membership shall be composed of those who pay a fee of Two Dollars (\$2.00) per annum, or a life membership of Twenty-five Dollars (\$25.00). The Executive Committee may appoint honorary members who may be entitled to special consideration.

There shall be an Executive Committee composed of a Chairman, a Secretary, a Treasurer and six directors to be elected annually at the Leacock Medal Dinner, or, if there should be no dinner, then at a meeting of the members to be called for the purpose. The Committee shall hold office until its successors are elected.

The Executive Committee shall have the right to appoint two members to the Board of the Leacock Memorial Home.

The representative of the Associates shall hold office for two years, dating from the first of January, in the year which they are appointed. If no successor is appointed a Board member may hold office for a third year.

The Executive Committee shall be responsible for arranging for the annual award and presentation of the Leacock Medal for humour.

The Board of the Leacock Memorial Home may delegate specific projects or duties to the Executive Committee, and allocate funds to carry them into effect.

It shall be one of the duties of the Associates to provide hosts and hostesses to assist in entertaining groups of distinguished visitors from a distance who may come.

The Associates will also be expected to give support generally to the work of the Memorial Board, in its efforts to make the purposes for which it is constituted as effective as possible.

An Act respecting the Town of Orillia

1st Reading

2nd Reading

3rd Reading

MR. LETHERBY

(Private Bill)

BILL Pr9

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Town of Orillia

MR. LETHERBY

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr9

1960

An Act respecting the Town of Orillia

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SCHEDULE

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10. Schedule "A" to this By-law so far as it applies to the administration, maintenance and general upkeep of the Home shall be considered as part of this By-law.

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The Associates will also be expected to give support generally to the work of the Memorial Board, in its efforts to make the purposes for which it is constituted as effective as possible.



An Act respecting the Town of Orillia

1st Reading

February 11th, 1960

2nd Reading

February 18th, 1960

3rd Reading

February 22nd, 1960

MR. LETHERBY

1960

BILL Pr10

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

**An Act to incorporate
the Ontario Institute of Professional Agrologists**

MR. McNEIL

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr10

1960

An Act to incorporate the Ontario Institute of Professional Agrologists

WHEREAS the persons named in section 2 by their ^{Preamble} petition have represented that they are desirous of being incorporated under the name "Ontario Institute of Professional Agrologists", herein called the Institute, for the purpose of carrying out the object of the Institute and of the government and discipline of its members; and whereas the petitioners have prayed that special legislation be passed for such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, "agrology" means the science or art of ^{Interpre-} agriculture, including scientific experiments and research in ^{tation} relation thereto, and "agrologist" means a person who teaches, demonstrates or performs any work or service in agrology.

2. J. W. Huxley, Manager, Toronto; W. M. Fisher, Farmer, ^{Institute} Burlington; A. E. Barrett, Executive Assistant, Ottawa; E. F. ^{incorporated} Bolton, Soil Specialist, Woodslee; W. S. Carpenter, Extension Specialist, Vineland; P. W. Couse, Manager, Toronto; D. W. Hoffman, Pedologist, Guelph; J. W. Ketcheson, Professor, Guelph; W. D. MacClement, Professor, Hamilton; W. H. Minshall, Botanist, London; R. P. Pennington, Manager, Toronto; W. D. Porter, Statistician, Ottawa; and such other persons as hereafter may become members of the Institute are hereby constituted a body corporate and politic under the name "Ontario Institute of Professional Agrologists".

3. The object of the Institute is to promote and increase ^{Object} the knowledge, skill and proficiency of its members in the practice of their profession.

4.—(1) Any person who is of the full age of twenty-one ^{Membership} years or over and is of good character may, upon payment

of the fees prescribed by the by-laws of the Institute, be registered as a member of the Institute,

- (a) if he holds a degree in agriculture from the Ontario Agricultural College granted by the University of Toronto;
- (b) if he holds a degree in agriculture from any college or university that in the opinion of the Council has courses and standing equivalent to those of the Ontario Agricultural College;
- (c) if he holds a degree other than in agriculture from a college or university and satisfies the Council that he possesses qualification equivalent to that required under clause *a* or *b*;
- (d) if he holds membership in good standing in a professional agricultural body having standards for admission to membership in that body that in the opinion of the Council are equivalent to those under clause *a*, *b* or *c*; or
- (e) if he is a resident of Ontario who, within one year after the day this Act comes into force, files an application with the Council in that behalf and satisfies the Council by credentials or otherwise that he, by reason of experience, training or examinations, possesses qualifications similar to those required by this Act and the by-laws of the Institute.

Exception

(2) No corporation, partnership or association of persons shall be registered as a member of the Institute.

Certificate of membership

5. Every applicant who qualifies for registration and has paid the required fees shall be issued a certificate of membership under the seal of the Institute and the signatures of the president and registrar.

Register

6.—(1) The registrar of the Institute shall enroll in a register provided by the Council the names of all persons admitted as members of the Institute.

Idem

(2) The registrar shall keep the register correct in accordance with this Act and the by-laws of the Institute.

Privileges

(3) Only those members whose names appear in the register are entitled to the privileges of membership in the Institute.

7. The Institute may acquire, by purchase, lease or otherwise, and hold real and personal property for its purposes and alienate, exchange, lease, mortgage or otherwise dispose of the same or any part thereof as occasion may require. ^{Real and personal property}

8.—(1) There shall be a council of the Institute, herein called the Council, which shall control and manage the affairs of the Institute. ^{Council}

(2) The Council shall consist of not fewer than nine and not more than fifteen members as the by-laws prescribe, all of whom shall be elected for such term and in such manner as the by-laws provide. ^{Composition}

(3) In the case of the death, resignation or incapacity of any member of the Council, the office may be declared vacant by the Council and the Council may fill the vacancy in such manner as the by-laws provide, and absence from three consecutive meetings or cancellation or suspension of registration may be treated by the Council as incapacity. ^{Vacancies}

(4) The Council may appoint a registrar, secretary, treasurer and such other officers and employees as are provided for in the by-laws. ^{Officers, staff}

(5) The same person may hold more than one office. ^{Holding more than one office}

9.—(1) The Council may pass by-laws, not contrary to law or to the provisions of this Act, for all purposes relating to the affairs, business and property of the Institute, its management, government, aims, objects and interests, including, ^{By-laws}

- (a) prescribing the number of and the term of office of the members of the Council;
- (b) providing for the election of the members of the Council and for the filling of vacancies thereon;
- (c) providing for the election or appointment of such officers of the Institute as are necessary for carrying out the purposes of the Institute, and prescribing their powers and duties;
- (d) providing for the remuneration and reimbursement of members of the Council and the officers and employees of the Institute;
- (e) fixing the dates and places of meetings of the Institute and the Council and prescribing the manner of calling and conducting such meetings;

- (f) providing for the fixing, levying and collecting of fees payable upon application for registration and renewal of registration, and prescribing the penalties for failure to make such payments;
- (g) providing for the keeping of a register of members and the conditions and procedure of registration, annual renewal of registration and the cancellation or suspension of registration;
- (h) providing for the management of the property of the Institute;
- (i) prescribing a code of ethics to govern the discipline, conduct and control of members;
- (j) governing the expenditures and dispositions of the revenue of the Institute and prescribing the books and records to be kept and providing for audits;
- (k) providing for qualifications of membership in addition to those prescribed in section 4;
- (l) providing for the forms of certificates of registration and their renewal;
- (m) regulating the conduct of the members of the Institute, including the suspension or expulsion of any member for misconduct or violation of the by-laws of the Institute;
- (n) providing for a board of examiners and prescribing its powers and duties;
- (o) providing for the form of application, the examination of applicants and proof of academic qualification, experience in agrology and any other qualifications required for registration;
- (p) providing for the re-examination of applicants and for the procedure and conditions of restoring registration where such registration has been cancelled or suspended by the Council;
- (q) respecting any matter deemed necessary or advisable for the effective management of the Institute and the conduct of its business.

Approval
of by-laws

(2) No by-law shall come into force until approved at an annual general meeting of the Institute or at a special general meeting called for the purpose of considering the by-law.

10.—(1) The persons named in section 2 are hereby constituted the provisional council of the Institute; the first-named shall hold office as president, the second-named shall hold office as vice-president and the remainder shall hold office as councillors until their successors are elected in accordance with the by-laws of the Institute. ^{Provisional council}

(2) The provisional council shall prepare provisional by-laws for the purposes set out in section 9. ^{Provisional by-laws}

(3) The provisional council, within six months after the day this Act comes into force, shall call a general meeting of the members of the Institute for the purposes of organization, of approving the provisional by-laws and of electing the members of the Council. ^{General meeting}

11. Any surplus moneys derived from carrying on the affairs and business of the Institute shall be devoted solely to promoting and carrying out its object. ^{Surplus}

12. Nothing in this Act affects the practice of any profession or calling by any person practising the same under any general or special Act and nothing in this Act or the by-laws passed by the Council pursuant to this Act shall be taken or deemed to relieve any person from compliance with any general or special Act relating to the practice of any profession or calling. ^{Application of Act}

13.—(1) Every member of the Institute has the right to use the designation "Registered Professional Agrologist" and may use the initials "R.P.Ag.", indicating that he is a registered professional agrologist. ^{Designation}

(2) Any person in Ontario who, not being a registered member of the Institute, takes or uses the designation "Registered Professional Agrologist" or the initials "R.P.Ag.", or any name, title or description implying or which may lead to the belief that he is a registered member of the Institute, is guilty of an offence and on summary conviction is liable to a fine of not more than \$50 for each offence. ^{Offence and penalty}

(3) All fines recovered under subsection 2 shall be paid over forthwith by the convicting magistrate to the Institute. ^{Disposition of fines}

14. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

15. This Act may be cited as *The Ontario Professional Agrologists Act, 1960*. ^{Short title}

**An Act to incorporate the Ontario Institute
of Professional Agrologists**

1st Reading

2nd Reading

3rd Reading

MR. MCNEIL

(Private Bill)

BILL Pr10

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act to incorporate the Ontario Institute of Professional Agrologists

MR. MCNEIL

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
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An Act to incorporate the Ontario Institute of Professional Agrologists

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1. In this Act, "agrology" means the science or art of ^{Interpre-} agriculture, including scientific experiments and research in ^{tation} relation thereto, and "agrologist" means a person who teaches, demonstrates or performs any work or service in agrology.

2. J. W. Huxley, Manager, Toronto; W. M. Fisher, Farmer, ^{Institute} Burlington; A. E. Barrett, Executive Assistant, Ottawa; E. F. ^{incorporated} Bolton, Soil Specialist, Woodslee; W. S. Carpenter, Extension Specialist, Vineland; P. W. Couse, Manager, Toronto; D. W. Hoffman, Pedologist, Guelph; J. W. Ketcheson, Professor, Guelph; W. D. MacClement, Professor, Hamilton; W. H. Minshall, Botanist, London; R. P. Pennington, Manager, Toronto; W. D. Porter, Statistician, Ottawa; and such other persons as hereafter may become members of the Institute are hereby constituted a body corporate and politic under the name "Ontario Institute of Professional Agrologists".

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4.—(1) Any person who is of the full age of twenty-one ^{Membership} years or over and is of good character may, upon payment

of the fees prescribed by the by-laws of the Institute, be registered as a member of the Institute,

- (a) if he holds a degree in agriculture from the Ontario Agricultural College granted by the University of Toronto;
- (b) if he holds a degree in agriculture from any college or university that in the opinion of the Council has courses and standing equivalent to those of the Ontario Agricultural College;
- (c) if he holds a degree other than in agriculture from a college or university and satisfies the Council that he possesses qualification equivalent to that required under clause *a* or *b*;
- (d) if he holds membership in good standing in a professional agricultural body having standards for admission to membership in that body that in the opinion of the Council are equivalent to those under clause *a*, *b* or *c*; or
- (e) if he is a resident of Ontario who, within one year after the day this Act comes into force, files an application with the Council in that behalf and satisfies the Council by credentials or otherwise that he, by reason of experience, training or examinations, possesses qualifications similar to those required by this Act and the by-laws of the Institute.

Exception

(2) No corporation, partnership or association of persons shall be registered as a member of the Institute.

Certificate of membership

5. Every applicant who qualifies for registration and has paid the required fees shall be issued a certificate of membership under the seal of the Institute and the signatures of the president and registrar.

Register

6.—(1) The registrar of the Institute shall enroll in a register provided by the Council the names of all persons admitted as members of the Institute.

Idem

(2) The registrar shall keep the register correct in accordance with this Act and the by-laws of the Institute.

Privileges

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8.—(1) There shall be a council of the Institute, herein^{Council} called the Council, which shall control and manage the affairs of the Institute.

(2) The Council shall consist of not fewer than nine and^{Composition} not more than fifteen members as the by-laws prescribe, all of whom shall be elected for such term and in such manner as the by-laws provide.

(3) In the case of the death, resignation or incapacity of^{Vacancies} any member of the Council, the office may be declared vacant by the Council and the Council may fill the vacancy in such manner as the by-laws provide, and absence from three consecutive meetings or cancellation or suspension of registration may be treated by the Council as incapacity.

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9.—(1) The Council may pass by-laws, not contrary to^{By-laws} law or to the provisions of this Act, for all purposes relating to the affairs, business and property of the Institute, its management, government, aims, objects and interests, including,

- (a) prescribing the number of and the term of office of the members of the Council;
- (b) providing for the election of the members of the Council and for the filling of vacancies thereon;
- (c) providing for the election or appointment of such officers of the Institute as are necessary for carrying out the purposes of the Institute, and prescribing their powers and duties;
- (d) providing for the remuneration and reimbursement of members of the Council and the officers and employees of the Institute;
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(2) The provisional council shall prepare provisional laws for the purposes set out in section 9. ^{Provisional by-laws}

(3) The provisional council, within six months after the day this Act comes into force, shall call a general meeting of the members of the Institute for the purposes of organization, of approving the provisional by-laws and of electing the members of the Council. ^{General meeting}

11. Any surplus moneys derived from carrying on the affairs and business of the Institute shall be devoted solely to promoting and carrying out its object. ^{Surplus}

12. Nothing in this Act affects the practice of any profession or calling by any person practising the same under any general or special Act and nothing in this Act or the by-laws passed by the Council pursuant to this Act shall be taken or deemed to relieve any person from compliance with any general or special Act relating to the practice of any profession or calling. ^{Application of Act}

13. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

14. This Act may be cited as *The Ontario Professional Agrologists Act, 1960*. ^{Short title}

An Act to incorporate the Ontario Institute
of Professional Agrologists

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. MCNEIL

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr10

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act to incorporate the Ontario Institute of Professional Agrologists

MR. McNEIL

BILL Pr10

1960

An Act to incorporate the Ontario Institute of Professional Agrolologists

WHEREAS the persons named in section 2 by their ^{Preamble} petition have represented that they are desirous of being incorporated under the name "Ontario Institute of Professional Agrolologists", herein called the Institute, for the purpose of carrying out the object of the Institute and of the government and discipline of its members; and whereas the petitioners have prayed that special legislation be passed for such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, "agrolology" means the science or art of ^{Interpre-} agriculture, including scientific experiments and research in ^{tation} relation thereto, and "agrolologist" means a person who teaches, demonstrates or performs any work or service in agrolology.

2. J. W. Huxley, Manager, Toronto; W. M. Fisher, Farmer, ^{Institute} Burlington; A. E. Barrett, Executive Assistant, Ottawa; E. F. ^{incorporated} Bolton, Soil Specialist, Woodslee; W. S. Carpenter, Extension Specialist, Vineland; P. W. Couse, Manager, Toronto; D. W. Hoffman, Pedologist, Guelph; J. W. Ketcheson, Professor, Guelph; W. D. MacClement, Professor, Hamilton; W. H. Minshall, Botanist, London; R. P. Pennington, Manager, Toronto; W. D. Porter, Statistician, Ottawa; and such other persons as hereafter may become members of the Institute are hereby constituted a body corporate and politic under the name "Ontario Institute of Professional Agrolologists".

3. The object of the Institute is to promote and increase ^{Object} the knowledge, skill and proficiency of its members in the practice of their profession.

4.—(1) Any person who is of the full age of twenty-one ^{Membership} years or over and is of good character may, upon payment

of the fees prescribed by the by-laws of the Institute, be registered as a member of the Institute,

- (a) if he holds a degree in agriculture from the Ontario Agricultural College granted by the University of Toronto;
- (b) if he holds a degree in agriculture from any college or university that in the opinion of the Council has courses and standing equivalent to those of the Ontario Agricultural College;
- (c) if he holds a degree other than in agriculture from a college or university and satisfies the Council that he possesses qualification equivalent to that required under clause *a* or *b*;
- (d) if he holds membership in good standing in a professional agricultural body having standards for admission to membership in that body that in the opinion of the Council are equivalent to those under clause *a*, *b* or *c*; or
- (e) if he is a resident of Ontario who, within one year after the day this Act comes into force, files an application with the Council in that behalf and satisfies the Council by credentials or otherwise that he, by reason of experience, training or examinations, possesses qualifications similar to those required by this Act and the by-laws of the Institute.

Exception (2) No corporation, partnership or association of persons shall be registered as a member of the Institute.

Certificate of membership 5. Every applicant who qualifies for registration and has paid the required fees shall be issued a certificate of membership under the seal of the Institute and the signatures of the president and registrar.

Register 6.—(1) The registrar of the Institute shall enroll in a register provided by the Council the names of all persons admitted as members of the Institute.

Idem (2) The registrar shall keep the register correct in accordance with this Act and the by-laws of the Institute.

Privileges (3) Only those members whose names appear in the register are entitled to the privileges of membership in the Institute.

7. The Institute may acquire, by purchase, lease or otherwise, and hold real and personal property for its purposes and alienate, exchange, lease, mortgage or otherwise dispose of the same or any part thereof as occasion may require. Real and personal property

8.—(1) There shall be a council of the Institute, herein called the Council, which shall control and manage the affairs of the Institute. Council

(2) The Council shall consist of not fewer than nine and not more than fifteen members as the by-laws prescribe, all of whom shall be elected for such term and in such manner as the by-laws provide. Composition

(3) In the case of the death, resignation or incapacity of any member of the Council, the office may be declared vacant by the Council and the Council may fill the vacancy in such manner as the by-laws provide, and absence from three consecutive meetings or cancellation or suspension of registration may be treated by the Council as incapacity. Vacancies

(4) The Council may appoint a registrar, secretary, treasurer and such other officers and employees as are provided for in the by-laws. Officers, staff

(5) The same person may hold more than one office. Holding more than one office

9.—(1) The Council may pass by-laws, not contrary to law or to the provisions of this Act, for all purposes relating to the affairs, business and property of the Institute, its management, government, aims, objects and interests, including, By-laws

- (a) prescribing the number of and the term of office of the members of the Council;
- (b) providing for the election of the members of the Council and for the filling of vacancies thereon;
- (c) providing for the election or appointment of such officers of the Institute as are necessary for carrying out the purposes of the Institute, and prescribing their powers and duties;
- (d) providing for the remuneration and reimbursement of members of the Council and the officers and employees of the Institute;
- (e) fixing the dates and places of meetings of the Institute and the Council and prescribing the manner of calling and conducting such meetings;

- (f) providing for the fixing, levying and collecting of fees payable upon application for registration and renewal of registration, and prescribing the penalties for failure to make such payments;
- (g) providing for the keeping of a register of members and the conditions and procedure of registration, annual renewal of registration and the cancellation or suspension of registration;
- (h) providing for the management of the property of the Institute;
- (i) prescribing a code of ethics to govern the discipline, conduct and control of members;
- (j) governing the expenditures and dispositions of the revenue of the Institute and prescribing the books and records to be kept and providing for audits;
- (k) providing for qualifications of membership in addition to those prescribed in section 4;
- (l) providing for the forms of certificates of registration and their renewal;
- (m) regulating the conduct of the members of the Institute, including the suspension or expulsion of any member for misconduct or violation of the by-laws of the Institute;
- (n) providing for a board of examiners and prescribing its powers and duties;
- (o) providing for the form of application, the examination of applicants and proof of academic qualification, experience in agrology and any other qualifications required for registration;
- (p) providing for the re-examination of applicants and for the procedure and conditions of restoring registration where such registration has been cancelled or suspended by the Council;
- (q) respecting any matter deemed necessary or advisable for the effective management of the Institute and the conduct of its business.

Approval
of by-laws

(2) No by-law shall come into force until approved at an annual general meeting of the Institute or at a special general meeting called for the purpose of considering the by-law.

10.—(1) The persons named in section 2 are hereby constituted the provisional council of the Institute; the first-named shall hold office as president, the second-named shall hold office as vice-president and the remainder shall hold office as councillors until their successors are elected in accordance with the by-laws of the Institute. Provisional council

(2) The provisional council shall prepare provisional by-laws for the purposes set out in section 9. Provisional by-laws

(3) The provisional council, within six months after the day this Act comes into force, shall call a general meeting of the members of the Institute for the purposes of organization, of approving the provisional by-laws and of electing the members of the Council. General meeting

11. Any surplus moneys derived from carrying on the affairs and business of the Institute shall be devoted solely to promoting and carrying out its object. Surplus

12. Nothing in this Act affects the practice of any profession or calling by any person practising the same under any general or special Act and nothing in this Act or the by-laws passed by the Council pursuant to this Act shall be taken or deemed to relieve any person from compliance with any general or special Act relating to the practice of any profession or calling. Application of Act

13. This Act comes into force on the day it receives Royal Assent. Commencement

14. This Act may be cited as *The Ontario Professional Agrologists Act, 1960*. Short title

An Act to incorporate the Ontario Institute
of Professional Agrolgists

1st Reading

February 11th, 1960

2nd Reading

February 18th, 1960

3rd Reading

February 22nd, 1960

MR. MCNEIL

BILL Pr11

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Young Women's Christian Association of Metropolitan Toronto

MR. LAWRENCE

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr11

1960

**An Act respecting
the Young Women's Christian Association
of Metropolitan Toronto**

WHEREAS the Young Women's Christian Association Preamble
of Metropolitan Toronto, herein called the Association,
by its petition has prayed for special legislation to exempt its
real property in the Metropolitan Area, as defined in *The* 1953, c. 73
Municipality of Metropolitan Toronto Act, 1953, from municipal
taxation for all purposes, except for local improvements; and
whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1.—(1) The land, as defined in *The Assessment Act*, of the Tax exemption
Association, in the Metropolitan Area, so long as it is owned R.S.O. 1950,
and used solely for the purposes of the Association, is and c. 24
shall be deemed to have been exempt from municipal taxation,
except local improvement rates, from the 1st day of January,
1959.

(2) An exemption from taxes under this section shall be Effect
deemed to have the same effect as an exemption from taxes
under section 4 of *The Assessment Act*.

2. This Act comes into force on the day it receives Royal Commence-
Assent. ment

3. This Act may be cited as *The Young Women's Christian* Short title
Association of Metropolitan Toronto Act, 1960.

An Act respecting the Young
Women's Christian Association
of Metropolitan Toronto

1st Reading

2nd Reading

3rd Reading

MR. LAWRENCE

(*Private Bill*)

BILL Pr11

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

**An Act respecting
the Young Women's Christian Association
of Metropolitan Toronto**

MR. LAWRENCE

(Reprinted for consideration by the Committee of the Whole House)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr11

1960

**An Act respecting
the Young Women's Christian Association
of Metropolitan Toronto**

WHEREAS the Young Women's Christian Association Preamble
of Metropolitan Toronto, herein called the Association,
by its petition has prayed for special legislation to exempt its
real property in the Metropolitan Area, as defined in *The* 1953, c. 73
Municipality of Metropolitan Toronto Act, 1953, from municipal
taxation for all purposes, except for local improvements; and
whereas it appears that the real property owned and used
by the petitioner was not, prior to the 1st day of January,
1959, assessed and taxed by the City of Toronto but has since
then been assessed and taxed; and whereas the councils of
The Municipality of Metropolitan Toronto and the City of
Toronto have acquiesced in the petition; and whereas it is
expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1.—(1) The land, as defined in *The Assessment Act*, ^{Tax exemption}
acquired, owned and used prior to the 1st day of January, 1959, by the Association, in the Metropolitan Area, so long
as it is owned and used solely for the purposes of the Association, is and shall be deemed to have been exempt from muni-
cipal taxation, except local improvement rates, from the 1st
day of January, 1959. R.S.O. 1950,
c. 24

(2) The council of any area municipality, as defined by ^{Idem}
The Municipality of Metropolitan Toronto Act, 1953, may by
by-law approved by the council of The Municipality of Metro-
politan Toronto exempt from municipal taxation, except local
improvement rates, the land, as defined in *The Assessment*
Act, acquired after the 1st day of January, 1959, by the
Association, in the Metropolitan Area, so long as it is owned
and used solely for the purposes of the Association.

- Effect (3) An exemption from taxes under this section shall be deemed to have the same effect as an exemption from taxes under section 4 of *The Assessment Act*.
- Commence-
ment **2.** This Act comes into force on the day it receives Royal Assent.
- Short title **3.** This Act may be cited as *The Young Women's Christian Association of Metropolitan Toronto Act, 1960*.



An Act respecting the Young
Women's Christian Association
of Metropolitan Toronto

1st Reading

February 4th, 1960

2nd Reading

March 22nd, 1960

3rd Reading

MR. LAWRENCE

(*Reprinted for consideration by the
Committee of the Whole House*)

BILL Pr11

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Young Women's Christian Association of Metropolitan Toronto

MR. LAWRENCE

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr11

1960

**An Act respecting
the Young Women's Christian Association
of Metropolitan Toronto**

WHEREAS the Young Women's Christian Association ^{Preamble} of Metropolitan Toronto, herein called the Association, by its petition has prayed for special legislation to exempt its real property in the Metropolitan Area, as defined in *The Municipality of Metropolitan Toronto Act, 1953*, from municipal taxation for all purposes, except for local improvements; and whereas it appears that the real property owned and used by the petitioner was not, prior to the 1st day of January, 1959, assessed and taxed by the City of Toronto but has since then been assessed and taxed; and whereas the councils of The Municipality of Metropolitan Toronto and the City of Toronto have acquiesced in the petition; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The land, as defined in *The Assessment Act*, ^{Tax exemption} acquired, owned and used prior to the 1st day of January, ^{R.S.O. 1950,} 1959, by the Association, in the Metropolitan Area, so long ^{c. 24} as it is owned and used solely for the purposes of the Association, is and shall be deemed to have been exempt from municipal taxation, except local improvement rates, from the 1st day of January, 1959.

(2) The council of any area municipality, as defined by ^{Idem} *The Municipality of Metropolitan Toronto Act, 1953*, may by by-law approved by the council of The Municipality of Metropolitan Toronto exempt from municipal taxation, except local improvement rates, the land, as defined in *The Assessment Act*, acquired after the 1st day of January, 1959, by the Association, in the Metropolitan Area, so long as it is owned and used solely for the purposes of the Association.

Effect (3) An exemption from taxes under this section shall be deemed to have the same effect as an exemption from taxes under section 4 of *The Assessment Act*.

**Commence-
ment** 2. This Act comes into force on the day it receives Royal Assent.

Short title 3. This Act may be cited as *The Young Women's Christian Association of Metropolitan Toronto Act, 1960*.





An Act respecting the Young
Women's Christian Association
of Metropolitan Toronto

1st Reading

February 4th, 1960

2nd Reading

March 22nd, 1960

3rd Reading

March 29th, 1960

MR. LAWRENCE

BILL Pr12

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the Townships of Raleigh and Harwich

MR. PARRY

(PRIVATE BILL)

**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
· PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY**

BILL Pr12

1960

An Act respecting the Townships of Raleigh and Harwich

WHEREAS The Corporation of the Township of Raleigh Preamble and The Corporation of the Township of Harwich by their petition have prayed for special legislation to permit The Corporation of the Township of Raleigh, instead of constructing a six-inch watermain for a distance of 1,983 linear feet along the southwesterly side of the Raleigh-Harwich Townline, to construct all necessary connections, other than connections on the ratepayer's own property, between the presently existing ten-inch watermain on the Harwich side of the Raleigh-Harwich Townline, heretofore constructed by The Corporation of the Township of Harwich, and the properties in the Township of Raleigh abutting on that portion of the Raleigh-Harwich Townline; and whereas it is expedient to grant the prayer of the petition:

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation of the Township of Raleigh is hereby authorized and empowered, instead of constructing a six-inch watermain along the southwesterly side of the Raleigh-Harwich Townline from a point opposite the limit between Lots B and 15, Registered Plan 455, Township of Raleigh, to the existing main on O'Brien Drive, which Drive is also shown on Registered Plan 455, to construct all necessary connections, other than connections on the ratepayer's own property, between the presently existing ten-inch watermain on the Harwich side of the Raleigh-Harwich Townline, heretofore constructed by The Corporation of the Township of Harwich, and the property lines of the properties in the Township of Raleigh abutting on that portion of the Raleigh-Harwich Townline from the point opposite the limit between Lots B and 15, Registered Plan 455, Township of Raleigh, to the existing watermain on O'Brien Drive, a distance of 1,983 linear feet, in order properly to permit such properties Construction of connections to watermain authorized

to be connected with the existing ten-inch watermain on the Harwich side of the Raleigh-Harwich Townline.

Payment
authorized

2. The Corporation of the Township of Raleigh is hereby authorized and empowered, upon commencement of such work, to pay to The Corporation of the Township of Harwich the sum of \$5,000 to be used by The Corporation of the Township of Harwich to reduce the annual cost of the debentures already issued by The Corporation of the Township of Harwich for the cost of the ten-inch watermain on the Harwich side of the Raleigh-Harwich Townline.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Townships of Raleigh and Harwich Act, 1960*.





An Act respecting the
Townships of Raleigh and Harwich

1st Reading

2nd Reading

3rd Reading

MR. PARRY

(*Private Bill*)

BILL Pr12

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the Townships of Raleigh and Harwich

MR. PARRY

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr12

1960

An Act respecting the Townships of Raleigh and Harwich

WHEREAS The Corporation of the Township of Raleigh Preamble and The Corporation of the Township of Harwich by their petition have prayed for special legislation to permit The Corporation of the Township of Raleigh, instead of constructing a six-inch watermain for a distance of 1,983 linear feet along the southwesterly side of the Raleigh-Harwich Townline, to construct all necessary connections, other than connections on the ratepayer's own property, between the presently existing ten-inch watermain on the Harwich side of the Raleigh-Harwich Townline, heretofore constructed by The Corporation of the Township of Harwich, and the properties in the Township of Raleigh abutting on that portion of the Raleigh-Harwich Townline; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation of the Township of Raleigh is hereby authorized and empowered, instead of constructing a six-inch watermain along the southwesterly side of the Raleigh-Harwich Townline from a point opposite the limit between Lots B and 15, Registered Plan 455, Township of Raleigh, to the existing main on O'Brien Drive, which Drive is also shown on Registered Plan 455, to construct all necessary connections, other than connections on the ratepayer's own property, between the presently existing ten-inch watermain on the Harwich side of the Raleigh-Harwich Townline, heretofore constructed by The Corporation of the Township of Harwich, and the property lines of the properties in the Township of Raleigh abutting on that portion of the Raleigh-Harwich Townline from the point opposite the limit between Lots B and 15, Registered Plan 455, Township of Raleigh, to the existing watermain on O'Brien Drive, a distance of 1,983 linear feet, in order properly to permit such properties Construction of connections to watermain authorized

to be connected with the existing ten-inch watermain on the Harwich side of the Raleigh-Harwich Townline.

Payment
authorized

2. The Corporation of the Township of Raleigh is hereby authorized and empowered, upon commencement of such work, to pay to The Corporation of the Township of Harwich the sum of \$5,000 which sum shall be deemed to be surplus funds

R.S.O. 1950,
c. 243

raised on debentures, and section 315 of *The Municipal Act* applies.

Local
improvement

3. The work contemplated under this Act shall be deemed to be a local improvement and the \$5,000 may be assessed and levied by the Township of Raleigh in the manner provided in *The Local Improvement Act*, and section 64 of that Act applies.

R.S.O. 1950,
c. 215

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Townships of Raleigh and Harwich Act, 1960*.





An Act respecting the
Townships of Raleigh and Harwich

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. PARRY

(Reprinted as amended by the
Committee on Private Bills)

BILL Pr12

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the Townships of Raleigh and Harwich

MR. PARRY

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr12

1960

An Act respecting the Townships of Raleigh and Harwich

WHEREAS The Corporation of the Township of Raleigh Preamble and The Corporation of the Township of Harwich by their petition have prayed for special legislation to permit The Corporation of the Township of Raleigh, instead of constructing a six-inch watermain for a distance of 1,983 linear feet along the southwesterly side of the Raleigh-Harwich Townline, to construct all necessary connections, other than connections on the ratepayer's own property, between the presently existing ten-inch watermain on the Harwich side of the Raleigh-Harwich Townline, heretofore constructed by The Corporation of the Township of Harwich, and the properties in the Township of Raleigh abutting on that portion of the Raleigh-Harwich Townline; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation of the Township of Raleigh is hereby authorized and empowered, instead of constructing a six-inch watermain along the southwesterly side of the Raleigh-Harwich Townline from a point opposite the limit between Lots B and 15, Registered Plan 455, Township of Raleigh, to the existing main on O'Brien Drive, which Drive is also shown on Registered Plan 455, to construct all necessary connections, other than connections on the ratepayer's own property, between the presently existing ten-inch watermain on the Harwich side of the Raleigh-Harwich Townline, heretofore constructed by The Corporation of the Township of Harwich, and the property lines of the properties in the Township of Raleigh abutting on that portion of the Raleigh-Harwich Townline from the point opposite the limit between Lots B and 15, Registered Plan 455, Township of Raleigh, to the existing watermain on O'Brien Drive, a distance of 1,983 linear feet, in order properly to permit such properties Construction of connections to watermain authorized

to be connected with the existing ten-inch watermain on the Harwich side of the Raleigh-Harwich Townline.

Payment
authorized

2. The Corporation of the Township of Raleigh is hereby authorized and empowered, upon commencement of such work, to pay to The Corporation of the Township of Harwich the sum of \$5,000 which sum shall be deemed to be surplus funds raised on debentures, and section 315 of *The Municipal Act* applies.

R.S.O. 1950,
c. 243

Local
improvement

3. The work contemplated under this Act shall be deemed to be a local improvement and the \$5,000 may be assessed and levied by the Township of Raleigh in the manner provided in *The Local Improvement Act*, and section 64 of that Act applies.

R.S.O. 1950,
c. 215

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Townships of Raleigh and Harwich Act, 1960*.





An Act respecting the
Townships of Raleigh and Harwich

1st Reading

February 11th, 1960

2nd Reading

February 22nd, 1960

3rd Reading

March 3rd, 1960

MR. PARRY

BILL Pr13

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the Sarnia Board of Education and the Sarnia Suburban High School District

MR. JANES

(PRIVATE BILL)

**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY**

11.

12.

BILL Pr13

1960

**An Act respecting the Sarnia Board
of Education and the Sarnia
Suburban High School District**

WHEREAS The Board of Education for the City of ^{Preamble} Sarnia and The Sarnia Suburban District High School Board by their petition have represented that by *The Sarnia* ^{1955, c. 112} *and Suburban Secondary Schools Act, 1955* provision was made to enable the Boards by agreement to provide increased secondary school accommodation and to provide additional accommodation for future requirements and that it is desirable that section 3 of such Act be amended; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of subsection 1 of section 3 of *The Sarnia* ^{1955, c. 112,} *and Suburban Secondary Schools Act, 1955* is repealed and the ^{s. 3, subs. 1,} following substituted therefor: ^{cl. a,} ^{re-enacted}

- (a) the cost of providing such additional accommodation shall be shared by the Boards in the proportion that the additional number of student places provided by each Board bears to the total number of additional student places provided;
- (aa) to determine the capital cost of providing such additional accommodation, each Board shall bear the capital cost of the additional accommodation of the student places provided by it, and any difference in the number of instructional areas, auxiliary areas and school ground areas already provided by the Boards shall be taken into account when provision is made for providing for additional accommodation at any time.

1955, c. 112,
s. 3, subs. 1,
amended

(2) Subsection 1 of the said section 3 is amended by adding thereto the following clauses:

- (e) the number of student places and instructional areas, auxiliary areas and school ground areas provided by the two Boards as of the 31st day of October, 1956, and the 31st day of December, 1959, with respect to Northern Collegiate Institute (referred to as Northern), Sarnia Collegiate Institute and Technical School (referred to as Scits) and Central Collegiate Institute (referred to as Central) shall be deemed to be as set out in the Schedule;
- (f) any dispute between the Boards with respect to providing additional accommodation or as to each Board's share of the capital cost of such additional accommodation or the interpretation of this section shall be referred to and determined by the judge of the County Court of the County of Lambton, whose decision shall be final and binding on the Boards and from whose decision there shall be no appeal;
- (g) the Boards shall be at liberty to enter into an agreement at any time or times when additional accommodation is required.

1955, c. 112,
s. 3,
amended

(3) The said section 3 is amended by adding thereto the following subsection:

Interpre-
tation

(3) In this section,

(a) "auxiliary areas" means areas that do not carry an instructional load but are necessary to make the school function as a whole and that provide,

- (i) administrative offices, teachers' rooms, offices for department heads, and student supply rooms,
- (ii) health service and guidance or counselling offices,
- (iii) auditoriums (with fixed seats), stage, dressing and property rooms,
- (iv) P.T. instructors' offices, apparatus rooms, locker and shower rooms, spectator galleries, cafeterias, lunch rooms, kitchens,

- (v) general store rooms, boiler rooms, maintenance quarters,
 - (vi) washrooms and toilets for staff and pupils,
 - (vii) corridors, stairwells, entrances and other structural requirements;
- (b) "instructional areas" means student areas and are those that carry a class load and are devoted to actual instructional work, for example, classrooms, laboratories, libraries, shops, music rooms, gymnasiums, art, commercial and home economics rooms;
- (c) "school ground areas" means the land necessary for a school house, school playground, parking areas and other land required for school purposes.

2. The Sarnia and Suburban Secondary Schools Act, 1955 ^{1955, c. 112, amended}
is amended by adding thereto the following Schedule:

SCHEDULE

SUBURBAN BOARD				CITY BOARD			
Student Places				Student Places			
	Instru- tional Areas	Auxiliary Areas	School Grounds		Instru- tional Areas	Auxiliary Areas	School Grounds
<i>31st October, 1956</i>							
Northern	760	1,070	1,070	Scits....	900	900	1,070
				Central..	650	1,070	1,070
	<u>760</u>	<u>1,070</u>	<u>1,070</u>		<u>1,550</u>	<u>1,970</u>	<u>2,140</u>
<i>31st December, 1959</i>							
				Northern	310	....	....
				Scits....	170	170	....
	<u>760</u>	<u>1,070</u>	<u>1,070</u>		<u>2,030</u>	<u>2,140</u>	<u>2,140</u>

3. This Act comes into force on the day it receives Royal ^{Commence-} Assent._{ment}

4. This Act may be cited as *The Sarnia and Suburban Secondary Schools Act, 1960.* ^{Short title}





An Act respecting the Sarnia Board
of Education and the Sarnia Suburban
High School District

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. JAMES

(*Private Bill*)

BILL Pr13

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the Sarnia Board of Education and the Sarnia Suburban High School District

MR. JAMES

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY



BILL Pr13

1960

**An Act respecting the Sarnia Board
of Education and the Sarnia
Suburban High School District**

WHEREAS The Board of Education for the City of ^{Preamble} Sarnia and The Sarnia Suburban District High School Board by their petition have represented that by *The Sarnia and Suburban Secondary Schools Act, 1955* ^{1955, c. 112} provision was made to enable the Boards by agreement to provide increased secondary school accommodation and to provide additional accommodation for future requirements and that it is desirable that section 3 of such Act be amended; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of subsection 1 of section 3 of *The Sarnia and Suburban Secondary Schools Act, 1955* ^{1955, c. 112, s. 3, subs. 1, cl. a,} is repealed and the ^{re-enacted} following substituted therefor:

- (a) the cost of providing such additional accommodation shall be shared by the Boards in the proportion that the additional number of student places provided by each Board bears to the total number of additional student places provided;
- (aa) to determine the capital cost of providing such additional accommodation, each Board shall bear the capital cost of the additional accommodation of the student places provided by it, and any difference in the number of instructional areas, auxiliary areas and school ground areas already provided by the Boards shall be taken into account when provision is made for providing for additional accommodation at any time.

1955, c. 112,
s. 3, subs. 1,
amended

(2) Subsection 1 of the said section 3 is amended by adding thereto the following clauses:

- (e) the number of student places and instructional areas, auxiliary areas and school ground areas provided by the two Boards as of the 31st day of October, 1956, and the 31st day of December, 1959, with respect to Northern Collegiate Institute (referred to as Northern), Sarnia Collegiate Institute and Technical School (referred to as Scits) and Central Collegiate Institute (referred to as Central) shall be deemed to be as set out in the Schedule;
- (f) any dispute between the Boards with respect to providing additional accommodation or as to each Board's share of the capital cost of such additional accommodation or the interpretation of this section shall be referred to and determined by the judge of the County Court of the County of Lambton, whose decision shall be final and binding on the Boards and from whose decision there shall be no appeal;
- (g) the Boards shall be at liberty to enter into an agreement at any time or times when additional accommodation is required.

1955, c. 112,
s. 3,
amended

(3) The said section 3 is amended by adding thereto the following subsection:

Interpre-
tation

(3) In this section,

- (a) "auxiliary areas" means areas that do not carry an instructional load but are necessary to make the school function as a whole and that provide,
 - (i) administrative offices, teachers' rooms, offices for department heads, and student supply rooms,
 - (ii) health service and guidance or counselling offices,
 - (iii) auditoriums (with fixed seats), stage, dressing and property rooms,
 - (iv) P.T. instructors' offices, apparatus rooms, locker and shower rooms, spectator galleries, cafeterias, lunch rooms, kitchens,

- (v) general store rooms, boiler rooms, maintenance quarters,
 - (vi) washrooms and toilets for staff and pupils,
 - (vii) corridors, stairwells, entrances and other structural requirements;
- (b) "instructional areas" means student areas and are those that carry a class load and are devoted to actual instructional work, for example, classrooms, laboratories, libraries, shops, music rooms, gymnasiums, art, commercial and home economics rooms;
- (c) "school ground areas" means the land necessary for a school house, school playground, parking areas and other land required for school purposes.

2. The Sarnia and Suburban Secondary Schools Act, 1955 ^{1955, c. 112 amended} is amended by adding thereto the following Schedule:

SCHEDULE

SUBURBAN BOARD				CITY BOARD			
Student Places				Student Places			
	<u>Instruc- tional Areas</u>	<u>Auxiliary Areas</u>	<u>School Grounds</u>		<u>Instruc- tional Areas</u>	<u>Auxiliary Areas</u>	<u>School Grounds</u>
<i>31st October, 1956</i>							
Northern	760	1,070	1,070	Scits....	900	900	1,070
				Central..	650	1,070	1,070
	<u>760</u>	<u>1,070</u>	<u>1,070</u>		<u>1,550</u>	<u>1,970</u>	<u>2,140</u>
<i>31st December, 1959</i>							
				Northern	310	....	....
				Scits....	170	170	....
	<u>760</u>	<u>1,070</u>	<u>1,070</u>		<u>2,030</u>	<u>2,140</u>	<u>2,140</u>

3. This Act comes into force on the day it receives Royal Assent. <sup>Commence-
ment</sup>

4. This Act may be cited as *The Sarnia and Suburban Secondary Schools Act, 1960*. ^{Short title}



An Act respecting the Sarnia Board
of Education and the Sarnia Suburban
High School District

1st Reading

February 11th, 1960

2nd Reading

February 26th, 1960

3rd Reading

March 1st, 1960

MR. JAMES

BILL Pr14

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

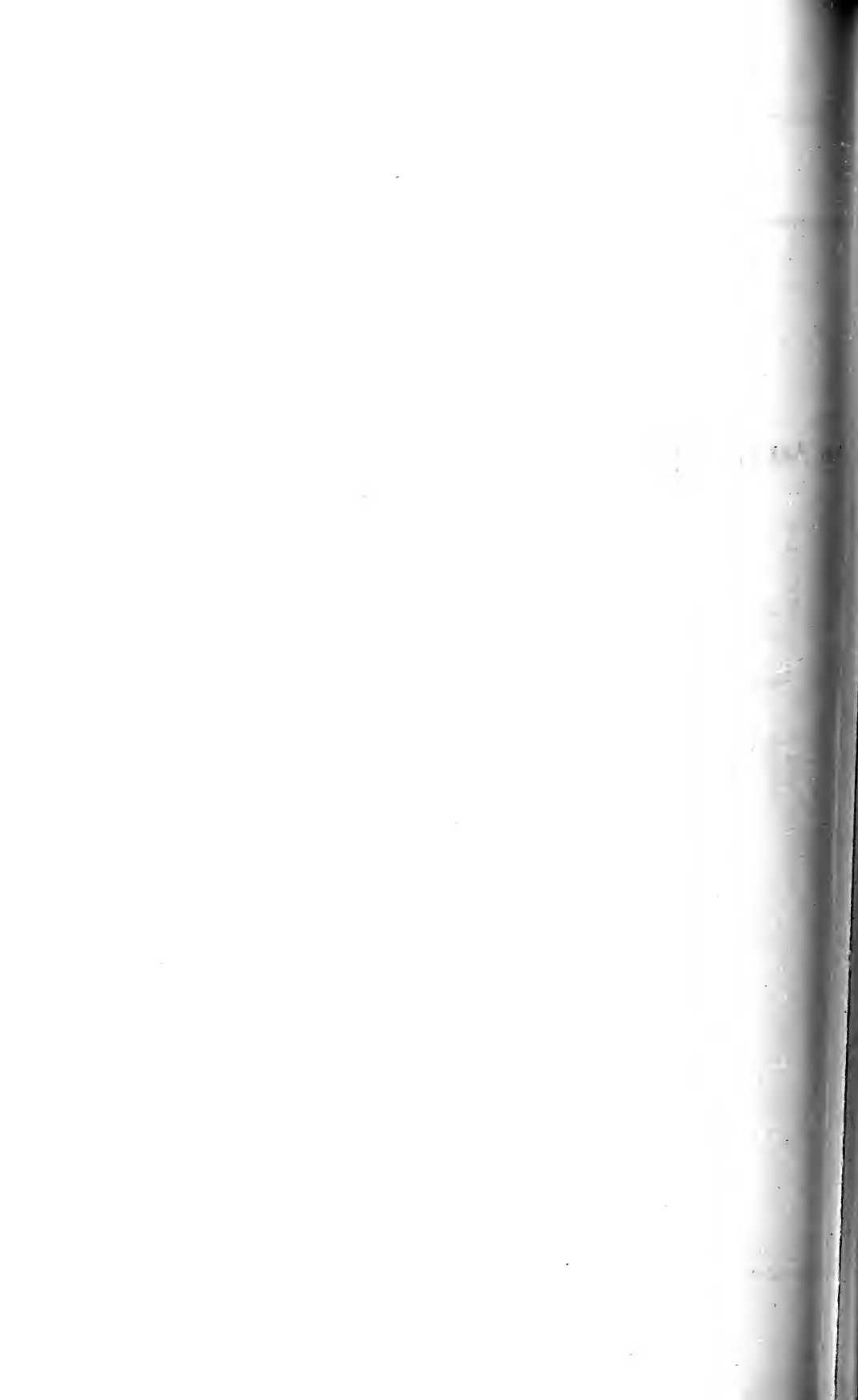
An Act respecting the Kitchener-Waterloo General Hospital

MR. WINTERMEYER

(PRIVATE BILL)



**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY**



BILL Pr14

1960

An Act respecting the Kitchener-Waterloo General Hospital

WHEREAS The Corporation of the City of Kitchener Preamble and The Corporation of the City of Waterloo by their petition have prayed for special legislation in respect of the Kitchener-Waterloo General Hospital as hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 3 of *An Act respecting the Kitchener-Waterloo General Hospital*, being chapter 150 of the Statutes of Ontario, 1924, c. 150, s. 3 (1955, c. 103, s. 1), re-enacted 1924, as re-enacted by section 1 of *The Kitchener-Waterloo General Hospital Act, 1955*, is repealed and the following substituted therefor:

3.—(1) The conduct of the affairs of the said hospital Conduct of affairs shall be vested in a commission of trustees to be by known as the Kitchener-Waterloo Hospital Com- Commission mission, to be appointed as follows:

- (a) five members appointed by the council of the City of Kitchener;
- (b) two members appointed by the council of the City of Waterloo;
- (c) the mayors and the warden for the time being respectively of the City of Kitchener, the City of Waterloo and the County of Waterloo; provided that the mayor of the City of Kitchener shall be empowered to designate a member of the council of the City of Kitchener as a member of the said commission in his place and stead and the mayor of the City of Waterloo shall be empowered to designate a member of the council of the City

of Waterloo as a member of the said commission in his place and stead and the warden of the County of Waterloo shall be empowered to designate a member of the council of the County of Waterloo as a member of the said commission in his place and stead.

Appoint-
ments and
terms of
office

- (2) All appointments of appointive members shall be for three-year terms and shall be made by the council of the City of Kitchener at its first meeting in each year and by the council of the City of Waterloo at its first meeting in each year and by the council of the County of Waterloo at its first meeting in each year; members shall hold office until their respective successors are appointed and the new commission is organized; a member shall be eligible for re-appointment; vacancies on the said commission from any cause may be filled by the appointing council at any time.

Represent-
ation of
County of
Waterloo

- (3) The County of Waterloo shall have the right to be represented on the said commission so long as it shall contribute to the maintenance and support of the said hospital and to capital expenditures incurred in connection therewith on such basis as shall from time to time be agreed upon among the County of Waterloo, the cities of Kitchener and Waterloo and the commission; and the rights and obligations by this Act vested in and imposed upon the cities of Kitchener and Waterloo shall hereafter be vested in and imposed upon the County of Waterloo on such basis as shall from time to time be agreed upon among the County of Waterloo, the cities of Kitchener and Waterloo and the said commission.

Borrowing
powers, and
temporary
advances

- (4) The Kitchener-Waterloo Hospital Commission may borrow from time to time, subject to the approval of the councils of the cities of Kitchener and Waterloo and the council of the County of Waterloo, such sums as may be required for the current operating purposes of the Kitchener-Waterloo Hospital; provided that the amount of such borrowings shall not exceed \$500,000 at any one time, and the councils of the cities of Kitchener and Waterloo and the council of the County of Waterloo may make temporary advances to the Commission from time to time for such purposes.

Name of
hospital

2. The hospital shall hereafter be known as Kitchener-Waterloo Hospital.

3. This Act comes into force on the day it receives Royal ^{Commence-}
Assent._{ment}

4. This Act may be cited as *The Kitchener-Waterloo* Short title
Hospital Act, 1960.



An Act respecting the
Kitchener-Waterloo General Hospital

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. WINTERMEYER

(*Private Bill*)

BILL Pr14

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Kitchener-Waterloo General Hospital

MR. WINTERMEYER

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr14

1960

An Act respecting the Kitchener-Waterloo General Hospital

WHEREAS The Corporation of the City of Kitchener Preamble
and The Corporation of the City of Waterloo by their
petition have prayed for special legislation in respect of the
Kitchener-Waterloo General Hospital as hereinafter set forth;
and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Section 3 of *An Act respecting the Kitchener-Waterloo* 1924, c. 150,
General Hospital, being chapter 150 of the Statutes of Ontario, s. 3 (1955,
1924, as re-enacted by section 1 of *The Kitchener-Waterloo* c. 103, s. 1),
General Hospital Act, 1955, is repealed and the following re-enacted
substituted therefor:

3.—(1) The conduct of the affairs of the said hospital Conduct
of affairs
shall be vested in a commission of trustees to be by
known as the Kitchener-Waterloo Hospital Com- Commission
mission, to be appointed as follows:

- (a) five members appointed by the council of the
City of Kitchener;
- (b) two members appointed by the council of the
City of Waterloo;
- (c) the mayors and the warden for the time being
respectively of the City of Kitchener, the City
of Waterloo and the County of Waterloo;
provided that the mayor of the City of
Kitchener shall be empowered to designate a
member of the council of the City of Kit-
chener as a member of the said commission
in his place and stead and the mayor of the
City of Waterloo shall be empowered to
designate a member of the council of the City

of Waterloo as a member of the said commission in his place and stead and the warden of the County of Waterloo shall be empowered to designate a member of the council of the County of Waterloo as a member of the said commission in his place and stead.

Appoint-
ments and
terms of
office

- (2) All appointments of appointive members shall be for three-year terms and shall be made by the council of the City of Kitchener at its first meeting in each year and by the council of the City of Waterloo at its first meeting in each year and by the council of the County of Waterloo at its first meeting in each year; members shall hold office until their respective successors are appointed and the new commission is organized; a member shall be eligible for re-appointment; vacancies on the said commission from any cause may be filled by the appointing council at any time.

Represent-
ation of
County of
Waterloo

- (3) The County of Waterloo shall have the right to be represented on the said commission and to appoint two members in addition to the Warden so long as it shall contribute to the maintenance and support of the said hospital and to capital expenditures incurred in connection therewith on such basis as shall from time to time be agreed upon among the County of Waterloo, the cities of Kitchener and Waterloo and the commission; and the rights and obligations by this Act vested in and imposed upon the cities of Kitchener and Waterloo shall hereafter be vested in and imposed upon the County of Waterloo on such basis as shall from time to time be agreed upon among the County of Waterloo, the cities of Kitchener and Waterloo and the said commission.

Borrowing
powers, and
temporary
advances

- (4) The Kitchener-Waterloo Hospital Commission may borrow from time to time, subject to the approval of the councils of the cities of Kitchener and Waterloo and the council of the County of Waterloo, such sums as may be required for the current operating purposes of the Kitchener-Waterloo Hospital; provided that the amount of such borrowings shall not exceed \$400,000 at any one time, and the councils of the cities of Kitchener and Waterloo and the council of the County of Waterloo may make temporary advances to the Commission from time to time for such purposes.

Name of
hospital

2. The hospital shall hereafter be known as Kitchener-Waterloo Hospital.

3. This Act comes into force on the day it receives Royal ^{Commence-}
Assent._{ment}

4. This Act may be cited as *The Kitchener-Waterloo* ^{Short title}
Hospital Act, 1960.



An Act respecting the
Kitchener-Waterloo General Hospital

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. WINTERMEYER

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr14

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Kitchener-Waterloo General Hospital

MR. WINTERMEYER

TORONTO

PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr14

1960

An Act respecting the Kitchener-Waterloo General Hospital

WHEREAS The Corporation of the City of Kitchener Preamble
and The Corporation of the City of Waterloo by their
petition have prayed for special legislation in respect of the
Kitchener-Waterloo General Hospital as hereinafter set forth;
and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Section 3 of *An Act respecting the Kitchener-Waterloo* 1924, c. 150,
General Hospital, being chapter 150 of the Statutes of Ontario, s. 3 (1955,
1924, as re-enacted by section 1 of *The Kitchener-Waterloo* c. 103, s. 1),
General Hospital Act, 1955, is repealed and the following
substituted therefor:

3.—(1) The conduct of the affairs of the said hospital Conduct
of affairs
shall be vested in a commission of trustees to be by
known as the Kitchener-Waterloo Hospital Com- Commission
mission, to be appointed as follows:

- (a) five members appointed by the council of the
City of Kitchener;
- (b) two members appointed by the council of the
City of Waterloo;
- (c) the mayors and the warden for the time being
respectively of the City of Kitchener, the City
of Waterloo and the County of Waterloo;
provided that the mayor of the City of
Kitchener shall be empowered to designate a
member of the council of the City of Kit-
chener as a member of the said commission
in his place and stead and the mayor of the
City of Waterloo shall be empowered to
designate a member of the council of the City

of Waterloo as a member of the said commission in his place and stead and the warden of the County of Waterloo shall be empowered to designate a member of the council of the County of Waterloo as a member of the said commission in his place and stead.

Appoint-
ments and
terms of
office

- (2) All appointments of appointive members shall be for three-year terms and shall be made by the council of the City of Kitchener at its first meeting in each year and by the council of the City of Waterloo at its first meeting in each year and by the council of the County of Waterloo at its first meeting in each year; members shall hold office until their respective successors are appointed and the new commission is organized; a member shall be eligible for re-appointment; vacancies on the said commission from any cause may be filled by the appointing council at any time.

Represent-
ation of
County of
Waterloo

- (3) The County of Waterloo shall have the right to be represented on the said commission and to appoint two members in addition to the Warden so long as it shall contribute to the maintenance and support of the said hospital and to capital expenditures incurred in connection therewith on such basis as shall from time to time be agreed upon among the County of Waterloo, the cities of Kitchener and Waterloo and the commission; and the rights and obligations by this Act vested in and imposed upon the cities of Kitchener and Waterloo shall hereafter be vested in and imposed upon the County of Waterloo on such basis as shall from time to time be agreed upon among the County of Waterloo, the cities of Kitchener and Waterloo and the said commission.

Borrowing
powers, and
temporary
advances

- (4) The Kitchener-Waterloo Hospital Commission may borrow from time to time, subject to the approval of the councils of the cities of Kitchener and Waterloo and the council of the County of Waterloo, such sums as may be required for the current operating purposes of the Kitchener-Waterloo Hospital; provided that the amount of such borrowings shall not exceed \$400,000 at any one time, and the councils of the cities of Kitchener and Waterloo and the council of the County of Waterloo may make temporary advances to the Commission from time to time for such purposes.

Name of
hospital

2. The hospital shall hereafter be known as Kitchener-Waterloo Hospital.

3. This Act comes into force on the day it receives Royal ^{Commence-} Assent.
ment

4. This Act may be cited as *The Kitchener-Waterloo* Short title
Hospital Act, 1960.



An Act respecting the
Kitchener-Waterloo General Hospital

1st Reading

February 11th, 1960

2nd Reading

February 26th, 1960

3rd Reading

March 3rd, 1960

MR. WINTERMEYER

BILL Pr15

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Leeds and Grenville Health Unit of the United Counties of Leeds and Grenville

MR. AULD

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

10. 11. 1941

BILL Pr15

1960

**An Act respecting the
Leeds and Grenville Health Unit
of the United Counties of Leeds and Grenville**

WHEREAS the Leeds and Grenville Health Unit of the Preamble
United Counties of Leeds and Grenville by its petition
has prayed for special legislation with respect to the matters
hereinafter set forth; and whereas it is expedient to grant the
prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

- 1.** The Retirement Annuity Plan for employees of the Pension Plan validated
Leeds and Grenville Health Unit of the United Counties of
Leeds and Grenville, as adopted by the Health Unit on the
1st day of July, 1948, and amended on the 16th day of August,
1954, is declared to be and to have been legal, valid and
binding upon the Leeds and Grenville Health Unit on and
after the 1st day of July, 1948, and the Leeds and Grenville
Health Unit is hereby empowered to carry out all its obliga-
tions that might arise thereunder.
- 2.** The Retirement Annuity Plan may be amended by the Amendment of Plan
Leeds and Grenville Health Unit only with the approval and
consent of the Minister of Municipal Affairs.
- 3.** The Sick Leave Regulations of the Leeds and Grenville Sick Leave Regulations validated
Health Unit of the United Counties of Leeds and Grenville,
as adopted by the Health Unit on the 14th day of April, 1949,
are declared to be and to have been legal, valid and binding
upon the Leeds and Grenville Health Unit on and after the
14th day of April, 1949, and the Leeds and Grenville Health
Unit is hereby empowered to carry out all its obligations that
might arise thereunder.
- 4.** This Act comes into force on the day it receives Royal Commence-
ment
Assent.
- 5.** This Act may be cited as *The Leeds and Grenville Health Unit Act, 1960.* Short title

An Act respecting the Leeds and Grenville
Health Unit of the United Counties of
Leeds and Grenville

1st Reading

2nd Reading

3rd Reading

MR. AULD

(*Private Bill*)

BILL Pr15

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Leeds and Grenville Health Unit of the United Counties of Leeds and Grenville

MR. AULD

BILL Pr15

1960

**An Act respecting the
Leeds and Grenville Health Unit
of the United Counties of Leeds and Grenville**

WHEREAS the Leeds and Grenville Health Unit of the ^{Preamble}
United Counties of Leeds and Grenville by its petition
has prayed for special legislation with respect to the matters
hereinafter set forth; and whereas it is expedient to grant the
prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

- 1.** The Retirement Annuity Plan for employees of the ^{Pension}
Leeds and Grenville Health Unit of the United Counties of ^{Plan}
Leeds and Grenville, as adopted by the Health Unit on the ^{validated}
1st day of July, 1948, and amended on the 16th day of August,
1954, is declared to be and to have been legal, valid and
binding upon the Leeds and Grenville Health Unit on and
after the 1st day of July, 1948, and the Leeds and Grenville
Health Unit is hereby empowered to carry out all its obliga-
tions that might arise thereunder.
- 2.** The Retirement Annuity Plan may be amended by the ^{Amendment}
Leeds and Grenville Health Unit only with the approval and ^{of Plan}
consent of the Minister of Municipal Affairs.
- 3.** The Sick Leave Regulations of the Leeds and Grenville ^{Sick Leave}
Health Unit of the United Counties of Leeds and Grenville, ^{Regulations}
as adopted by the Health Unit on the 14th day of April, 1949, ^{validated}
are declared to be and to have been legal, valid and binding
upon the Leeds and Grenville Health Unit on and after the
14th day of April, 1949, and the Leeds and Grenville Health
Unit is hereby empowered to carry out all its obligations that
might arise thereunder.
- 4.** This Act comes into force on the day it receives Royal ^{Commence-}
Assent. ^{ment}
- 5.** This Act may be cited as *The Leeds and Grenville Health* ^{Short title}
Unit Act, 1960.

An Act respecting the Leeds and Grenville
Health Unit of the United Counties of
Leeds and Grenville

1st Reading

February 11th, 1960

2nd Reading

February 22nd, 1960

3rd Reading

February 26th, 1960

Mr. AULD

BILL Pr16

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the National Sanitarium Association

MR. BECKETT

(PRIVATE BILL)

THE UNIVERSITY OF CHICAGO

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THE UNIVERSITY OF CHICAGO
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THE UNIVERSITY OF CHICAGO
LIBRARY

BILL Pr16

1960

An Act respecting the National Sanitarium Association

WHEREAS the National Sanitarium Association, herein Preamble
called the Association, by its petition has represented
that it was incorporated by *An Act to incorporate the National* 1896, c. 52
Sanitarium Association, being chapter 52 of the Statutes of (Can.)
Canada, 1896, and was restricted by its objects to the isolation,
treatment and cure of persons affected with pulmonary tuber-
culosis and that the Association has received endowments,
donations, gifts, devises and bequests to carry on these
objects; and whereas the Association is in the process of
applying to the Parliament of Canada for an Act to extend
its objects to include the treatment of other illnesses and
disabilities; and whereas the Association is desirous of using
such donations, gifts, devises, bequests and the proceeds of
its endowments for the treatment of other illnesses and dis-
abilities in accordance with such extended objects; and
whereas the petitioner has prayed for special legislation for
such purposes; and whereas it is expedient to grant the prayer
of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Notwithstanding any trust or limitation created by any Association
endowment, donation, gift, devise or bequest heretofore made may use
to the Association, whether heretofore or hereafter received by gifts, etc.,
the Association, the Association may use such donations, for
gifts, devises, bequests and the proceeds of any endowments purposes of
for all or any of the purposes authorized by its Act of incor- Association
poration, and amendments thereto, and in accordance with
the objects of the Association.

2. This Act comes into force on the day it receives Royal Commence-
Assent. ment

3. This Act may be cited as *The National Sanitarium* Short title
Association Act, 1960.

FILE 1716
An Act respecting the
National Sanitarium Association

1st Reading

2nd Reading

3rd Reading

MR. BECKETT

(Private Bill)

BILL Pr16

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the National Sanitarium Association

MR. BECKETT

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr16

1960

An Act respecting the National Sanitarium Association

WHEREAS the National Sanitarium Association, herein Preamble
called the Association, by its petition has represented
that it was incorporated by *An Act to incorporate the National* 1896, c. 52
(Can.)
Sanitarium Association, being chapter 52 of the Statutes of
Canada, 1896, and was restricted by its objects to the isolation,
treatment and cure of persons affected with pulmonary tuber-
culosis and that the Association has received endowments,
donations, gifts, devises and bequests to carry on these
objects; and whereas the Association is in the process of
applying to the Parliament of Canada for an Act to extend
its objects to include the treatment of other illnesses and
disabilities; and whereas the Association is desirous of using
such donations, gifts, devises, bequests and the proceeds of
its endowments for the treatment of other illnesses and dis-
abilities in accordance with such extended objects; and
whereas the petitioner has prayed for special legislation for
such purposes; and whereas it is expedient to grant the prayer
of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Notwithstanding any trust or limitation created by any Association
may use
gifts, etc.,
for
purposes of
Association
endowment, donation, gift, devise or bequest heretofore made
to or for or on behalf of the National Sanitarium Association
or to or for or on behalf of any hospital or clinic or other
unit owned or operated by the Association, whether heretofore
or hereafter received by the Association, the Association may
use at any place such donations, gifts, devises, bequests and
the proceeds of any endowments for all or any of the purposes
authorized by the Association's Act of incorporation and
amendments thereto, including amendments that may here-
after be made, and in accordance with the objects of the
Association.

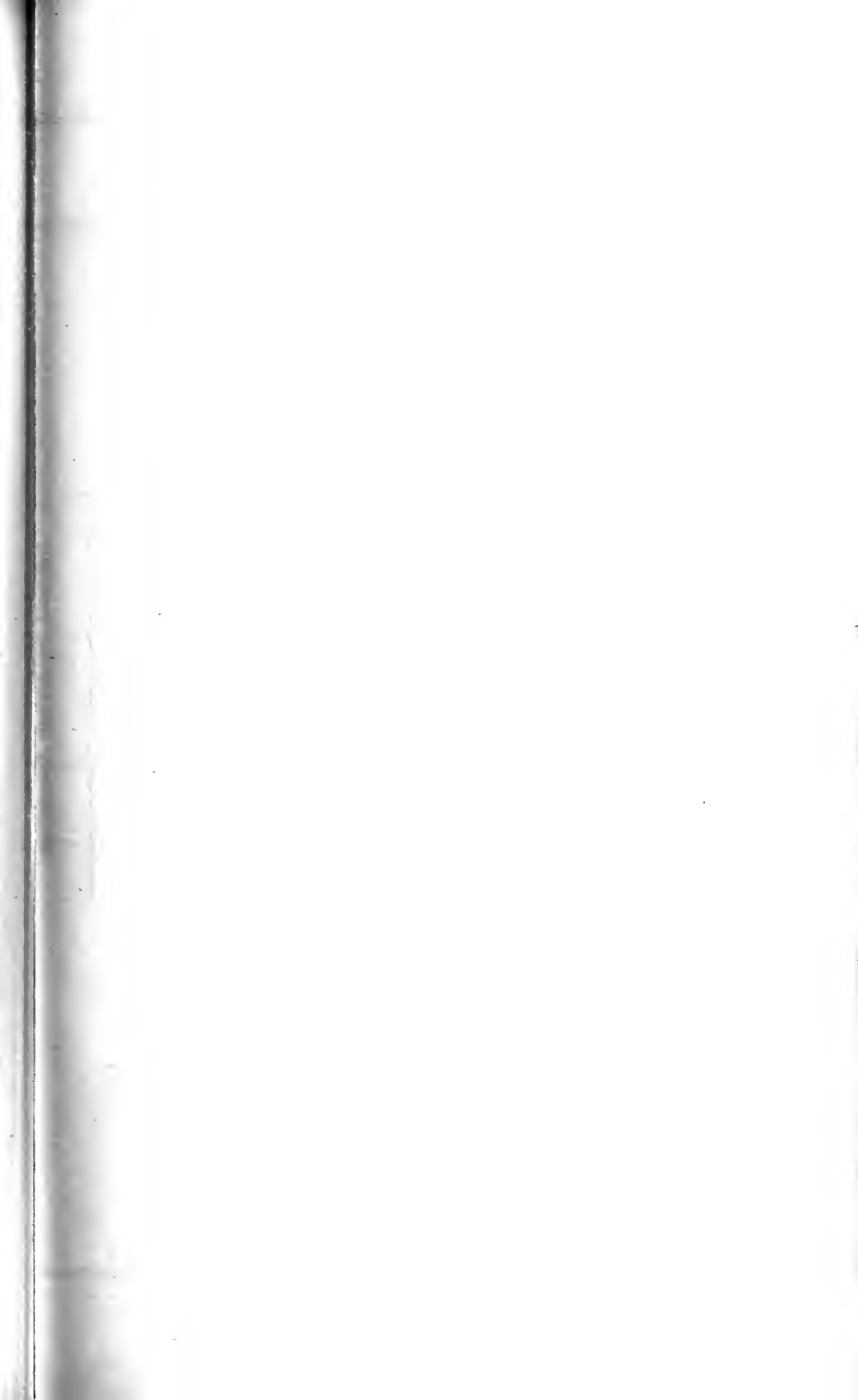
Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The National Sanitarium Association Act, 1960*.





An Act respecting the
National Sanitarium Association

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. BECKETT

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr16

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

**An Act respecting the
National Sanitarium Association**

MR. BECKETT

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr16

1960

An Act respecting the National Sanitarium Association

WHEREAS the National Sanitarium Association, herein Preamble
called the Association, by its petition has represented
that it was incorporated by *An Act to incorporate the National* 1896, c. 52
Sanitarium Association, being chapter 52 of the Statutes of (Can.)
Canada, 1896, and was restricted by its objects to the isolation,
treatment and cure of persons affected with pulmonary tuber-
culosis and that the Association has received endowments,
donations, gifts, devises and bequests to carry on these
objects; and whereas the Association is in the process of
applying to the Parliament of Canada for an Act to extend
its objects to include the treatment of other illnesses and
disabilities; and whereas the Association is desirous of using
such donations, gifts, devises, bequests and the proceeds of
its endowments for the treatment of other illnesses and dis-
abilities in accordance with such extended objects; and
whereas the petitioner has prayed for special legislation for
such purposes; and whereas it is expedient to grant the prayer
of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Notwithstanding any trust or limitation created by any Association
endowment, donation, gift, devise or bequest heretofore made may use
to or for or on behalf of the National Sanitarium Association gifts, etc.,
or to or for or on behalf of any hospital or clinic or other for
unit owned or operated by the Association, whether heretofore purposes of
or hereafter received by the Association, the Association may Association
use at any place such donations, gifts, devises, bequests and
the proceeds of any endowments for all or any of the purposes
authorized by the Association's Act of incorporation and
amendments thereto, including amendments that may here-
after be made, and in accordance with the objects of the
Association.

**Commence-
ment** **2.** This Act comes into force on the day it receives Royal Assent.

Short title **3.** This Act may be cited as *The National Sanitarium Association Act, 1960*.





ALL ACT REPORTING 200
National Sanitarium Association

1st Reading

February 11th, 1960

2nd Reading

March 8th, 1960

3rd Reading

March 17th, 1960

MR. BECKETT

BILL Pr17

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting The Board of Education for the Township of Etobicoke

MR. LEWIS

(PRIVATE BILL)

12

BILL Pr17

1960

An Act respecting The Board of Education for the Township of Etobicoke

WHEREAS The Board of Education for the Township of Etobicoke, herein called the Board, by its petition has prayed for special legislation with respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Pension Plan of the Board, set forth as the Schedule hereto, is declared to be legal, valid and binding upon the Board and the Board is hereby empowered to carry out all its obligations that might arise thereunder. Pension Plan ratified

2. The Pension Plan may be amended from time to time or discontinued at any time by the Board, provided that any such amendment or discontinuance shall not adversely affect the pensions, other benefits and privileges of the members of the Pension Plan that have accrued by reason of their service to the Board to the date of such amendment or discontinuance and with respect to which the required contributions have been made by such members. Amendment or discontinuance of Plan

3. This Act comes into force on the day it receives Royal Assent. Commencement

4. This Act may be cited as *The Township of Etobicoke Board of Education Act, 1960*. Short title

SCHEDULE

THE BOARD OF EDUCATION FOR THE TOWNSHIP OF ETOBICOKE

PENSION PLAN

Definitions:

1. For the purposes of this Employee Pension Plan:

- (a) "Accumulated interest" means interest earnings credited and compounded annually in accordance with rates of interest declared by the Employer from time to time.
- (b) "Board" means The Board of Education for The Township of Etobicoke.
- (c) "Credited Service" means the total period of a Member's Service, to the nearest completed month, with respect to which Employee Contributions have been made to the Plan and with respect to which no Withdrawal Benefit has become payable or vested, subject to the conditions of Provision 6 (b).
- (d) "Continuous Service" means Service with no interruptions except those referred to in the definition of "Service" herein.
- (e) "Effective Date" means the first day of the calendar month following the date The Board of Education for the Township of Etobicoke Act, 1960 receives Royal Assent.
- (f) "Employer" means The Board of Education for The Township of Etobicoke.
- (g) "Employee" means any salaried officer or other regular Employee of the Employer who is not a contributor to the Teachers' Superannuation Fund.
- (h) "Earnings" means the total compensation received by a Member from the Employer excluding, bonuses, overtime pay or special payments.
- (i) "Full Accrued Pension Credit". In the case of an Employee Member, the full accrued pension credit at any stated date equals the pension benefit which would be payable to him on Normal Retirement, with respect to his Credited Service and Earnings up to such date.

In the case of a retired Member, the Full Accrued Pension Credit at any date equals the pension benefit which he is receiving in accordance with the Plan.

- (j) "Fund" means the monies, securities, negotiable instruments, and other property in the custody of the Insurer for the carrying out of the purposes of the Plan.
- (k) "Insurer" means any Insurance Company licensed to transact business and carrying on business in Ontario and appointed by the Board to administer the Plan.
- (l) "Member" means an employee whose application for membership in the Plan has been accepted by the Employer and who has authorized the required deductions from his earnings as set out in the Plan.

- (m) "Plan" means the Pension Plan for the employees of the Board of Education for The Township of Etobicoke established as from the Effective Date and as set forth herein.
- (n) "Retirement" means the termination of a Member's Service with the Employer under circumstances which in accordance with the Plan entitle him to commence to receive Pension Benefits.
- (o) "Service" means the period of time with respect to which an Employee is in receipt of pay from the Employer, excluding any period during which the Member is in receipt of Disability Pension Benefit under the Plan, and shall include the following interruptions of such service:
 - (i) Leave authorized by the Employer, whether due to illness or for any other reason.
 - (ii) Recognized periods of absence on Her Majesty's Service during a period of war or national emergency.
- (p) "Superseded Plan" means the Board of Education for the Township of Etobicoke Retirement Pension Plan under which Employees' pension credits have accrued up to the Effective Date of this Plan.
- (q) Words importing the masculine gender include the feminine gender unless the context indicates otherwise.

Eligibility:

2. All Employees in the service of the Employer on the Effective Date who have attained the first anniversary of the date of their employment but have not attained age 65, shall be eligible to apply for membership in the Plan. Future employees will become eligible to apply for membership in the Plan as of the first day of the month coincident with or next following the first anniversary of the date of their employment.

Membership:

3. Eligible Employees who were members of the Superseded Plan immediately prior to the Effective Date shall be transferred to this Plan as from such date.

All other eligible Employees engaged prior to the Effective Date may apply for membership in the Plan.

Each Employee engaged on or after the Effective Date is required to join the Plan as from the date when he first becomes eligible, except that no eligible female employee is required to join the Plan until the 1st of the month coincident with, or next following her 30th birthday.

Contributions By Members:

4. Each Member shall contribute to the Plan 5% of his earnings to be deducted from each pay as long as he remains in the Employer's Service.

Normal Retirement:

5. The normal retirement date of a Member under the Plan shall be the 1st of July coincident with or next following his attainment of the age of 65 years. However, continuance of employment after age 65 shall be at the Board's discretion from year to year but not beyond age 70. Pension payments will be made monthly commencing at the first of the month coincident with or next following retirement and will continue as long as

the Member lives, the last payment being made as of the first day of the month in which the Member's death occurs subject to the provisions concerning Benefits on Death.

Amount of Pension:

6. The annual pension benefit (payable monthly) to which a Member shall be entitled on normal retirement shall be the greater of the two following amounts in accordance with Section (a) or (b):

- (a) $1\frac{3}{4}\%$ of the average Earnings with respect to which normal Employee contributions have been made during his period of Credited Service, multiplied by the number of his years of Credited Service, (equivalent to $1\frac{3}{4}\%$ of the Member's total Earnings during his years of Credited Service).

— OR —

- (b) $1\frac{1}{3}\%$ of the Member's average Earnings during the last five years of his Service prior to retirement with respect to which normal Employee contributions have been made, multiplied by his years of service as hereinafter defined up to but not in excess of thirty (30) years, less the amount of any Pension benefit payable under the Board of Education for The Township of Etobicoke Retirement Pension Plan or any other Pension benefit towards the cost of which the Board of Education for The Township of Etobicoke has contributed, provided, however, that if a member's average earnings during the five-year period immediately preceding the date of his retirement were less, by reason of special circumstances peculiar to him, than his average earnings during some other period of five consecutive years, his highest continuous five-year average earnings may be used in determining this benefit. For the purposes of this subsection (b) of Provision 6 the number of years of service to be credited shall be the Employee's years of credited service under this Plan together with any years of continuous service with the Employer prior to the Effective Date of this Plan after the completion of one year service except

- (i) any years of service during which an Employee was eligible to contribute to a Pension Plan of the Employer and did not make a contribution,

— and —

- (ii) any years of service prior to such a period of voluntary non-contribution.

Disability Retirement:

7. Any Member in the active service of the Employer who has a total of ten (10) years of Continuous Service with the Employer, and who becomes totally and apparently permanently disabled through injury or disease so as to be incapable of any employment for remuneration or profit, shall on his retirement be eligible for a Disability Pension Benefit.

Any Member in the active service of the Employer who has twenty (20) years of Continuous Service with the Employer, and who, as a result of disability becomes incapable of continuing in the Employer's Service, shall on his retirement be eligible for a Disability Pension Benefit.

The amount of such Member's Disability Pension shall be calculated with respect to his Earnings and Credited Service up to the date of his Disability Retirement in accordance with the formulae set out in Section 6 hereof as if such date of disability retirement were his normal retirement date.

Notwithstanding the foregoing provisions of this section, the pension payable to a Member on Disability Retirement under the Plan shall be limited so that the total amount thereof including any other disability benefit to the cost of which the Employer has contributed, shall not exceed 75% of his Earnings immediately preceding his Disability Retirement Date.

A Member's Disability Pension will be payable from the Fund only during the period of his disablement and its continuance will be subject to such medical examinations and other evidence as may be required by the Employer from time to time.

In any case in which the Employer decides that the Member does not continue to qualify for Disability Benefit, payment thereof shall cease. However, in the event of such cessation of Disability Benefits, whether or not the Member is re-employed by the Employer, the Member shall retain any benefit to which he was entitled under the Plan by his years of Service prior to his Disability Retirement as if his Disability Retirement had not occurred.

Early Retirement:

8. A Member may elect to retire at any time after his attainment of sixty (60) years of age.

The Pension benefit payable from the Plan to a Member as from such Early Retirement Date shall be the reduced actuarial equivalent (as determined by the Actuary) of the pension benefit to which he would have become entitled under his Credited Service at such Early Retirement Date, and shall be based upon his average annual Earnings during the applicable period prior to such Early Retirement Date in accordance with the provisions of Section 6.

Postponed Retirement:

9. With the consent of the Employer in writing a Member may remain in the active service of the Employer past the attainment of age sixty-five (65). In such an event payment of the Member's pension will not commence until his actual retirement. Such postponement of retirement may be granted by the Employer for a period not in excess of one year, and renewal thereof shall be subject to review and decision by the Employer prior to the end of each such period.

During such extension of Service the Member's contributions to the Plan shall continue and his Credited Service will extend up to his actual Retirement Date.

The pension benefit to which a Member shall become entitled upon postponed retirement shall be calculated with respect to his Credited Service up to his actual retirement date as if such date were his normal retirement date, and shall be based upon his Average Earnings during the applicable period prior to such actual retirement date, in accordance with the provisions of Section 6.

Cash Withdrawal Benefit:

10. On severance of employment at any time a Member shall become entitled to a refund of the total of his contributions to the Plan with Accumulated Interest thereon up to his severance of employment, which shall be paid to him forthwith, unless the Member elects a Deferred Pension Withdrawal Benefit under the Plan. Payment of such refund to the Member shall discharge all obligations of the Fund with reference to the Member's Service prior to such severance.

Deferred Pension Withdrawal Benefit:

11. A Member upon severance of employment may elect, in lieu of other benefits provided under the Plan, a Deferred Pension Benefit purchased by the total of his contributions with accumulated interest, together with a portion of the contributions with accumulated interest made by the Employer on his behalf prior to severance, in accordance with the following table:

Years of Service	Vested Portion of Employer Contributions
6	20%
7	40%
8	60%
9	80%
10	100%

Such contributions by the Employer are hereby defined as contributions with respect to Pension Benefits payable to the Member under the Plan based on the Member's average Earnings during the period of Credited Service preceding his date of severance as set forth in Provision 6 (a) and (b).

The aforesaid Deferred Pension Benefit shall be determined at the date of severance of employment and shall vest in the Member, and the Plan shall not be liable for the provision of any additional benefits with respect to the period of Service preceding such severance.

Such a Member shall be entitled to similar privileges with respect to the election of early retirement pension benefits and optional pension benefits as if he had remained in the service of the Employer.

However, no such Member shall be entitled after termination of his Service to make any Claim for any Disability Pension Benefit under this Plan.

A Member entitled to such Deferred Pension Benefit will retain his right to elect, at any time prior to the commencement of his pension payments, a lump sum refund of the total of his contributions to the Plan with accumulated interest, in lieu of such pension benefit.

On the death, prior to retirement under this Plan, of a Member who has elected Deferred Pension Withdrawal Benefit and who has not withdrawn his own contributions to the Plan, a lump sum refund of the total of such contributions, with accumulated interest thereon up to the date of his death, shall be made to his named beneficiary, if any, otherwise to his estate or legal representative.

In the event of the death of such a Member after commencing to receive pension payments under this Plan and before he has received sixty (60) monthly instalments thereof, the remaining balance of such unpaid instalments shall be paid to his named beneficiary, legal representative or his estate, as they fall due.

It is hereby expressly stipulated that on the death of a Member who has elected a Deferred Pension Benefit under this Plan no pension, or other benefit, will become payable to his dependents, beneficiary or estate other than as provided in the foregoing paragraphs.

It is expressly stipulated further that any deferred pension benefit to which a Member may become entitled hereunder shall be provided for such Member under a contract issued to him by the Insurer and the issuance of such contract shall constitute a full valid discharge to the Employer with respect to the claims of such employee under the Plan arising out of service prior to the date of issuance of the said Contract.

Benefit on Death Prior to Retirement:

12. (a) In the event of the death of a married male Employee his surviving widow shall be entitled to a pension benefit equal to one-half of the Member's full accrued pension credit, i.e., one-half of the pension benefit to which he would have been entitled had he retired as of the date of his death at the full pension rate without actuarial reduction for early retirement, based on his Credited Service and Average Earnings up to the date of his death. Payment of such widow pension benefit shall be continued until the recipient's death.

- (i) Provided, however, in the case of a widow who is more than fifteen (15) years younger than her husband, a reduced widow's pension will be payable based on the maximum cost of the widow's pension being that for a widow fifteen (15) years younger than her husband in accordance with tables prepared by the Insurer having regard to the disparity in ages.

(b) If on or after the death of an Employee there is no person eligible for a widow pension benefit under the Plan with respect to his Service, then a pension benefit shall be payable to his dependent children, if any, in accordance with the following:

- (i) The pension benefit to which a dependent child or children shall be entitled will be calculated at the rate of 40% of the Member's full accrued pension credit if there be only one such child, and 60% thereof if there be two or more such children.
- (ii) Pension benefit with respect to any dependent child of the Deceased Member shall terminate on the child's death or on his attainment of the age of 18 years whichever first occurs, provided however that in the case of any invalid child such pension shall be continued as long as the child remains dependent.

(c) In the event of the death of any Member of the Plan prior to retirement, with respect to whom no widow's or children's pension is payable under the Plan, his legal representative, or his estate, shall be entitled to a return of the Member's total contributions with Accumulated Interest, which shall be paid forthwith either in one sum or in instalments as may be approved by the Employer.

(d) The decision of the Employer shall be conclusive as to the person or persons entitled, on the death of a Member, to pension benefits, and/or death benefits, and/or residuary benefits, under this Plan with respect to such Member's period of Service with the Employer.

Benefit on Death After Retirement:

13. In the event of the death of a Member of the Plan after his retirement, the benefits described in the foregoing subsections (a) and (b) of Section 12 will be payable to his widow if eligible to receive widow pension, or to his dependent child or children, all in accordance with the terms of the said Section 12, provided however that:

- (a) To be eligible therefor, such widow must have married the Member five (5) full years prior to his retirement; and
- (b) Such children must have been born of a marriage entered into prior to the Member's retirement, or legally adopted prior to the Member's retirement; and
- (c) The amounts of such pension benefits shall be computed on the basis of the Pension benefit to which the retired Member is entitled under the Plan.

In the event of the death after retirement of any Member of the Plan leaving no surviving widow, or dependent child (under 18 or invalid), and before the Member has received sixty (60) monthly instalments of the

pension to which he is entitled, the remaining balance of such unpaid instalments shall be paid to his legal representative or his estate, as they fall due. Alternatively, the discounted value of such unpaid instalments may be paid to his legal representative or his estate in one lump sum.

Residuary Benefit:

14. If the total of all instalments of pension benefit provided for by this Plan with respect to the Service of a deceased Member should be less than the total of his own contributions to the Plan with Accumulated Interest thereon to the termination of his contributory Service, a residual lump sum benefit equal to the difference shall be paid to his estate or legal representative, so that in no case shall the total benefits payable with respect to a Member's Service be less than his contributions to the Plan with Accumulated Interest as aforesaid.

Commutation of Small Pension Benefits:

15. Should a Member or his beneficiary become entitled under the Plan to a pension benefit amounting to less than \$10.00 per month, the Employer may recommend that the payment of an equivalent benefit be made in advance on a quarterly or annual basis.

In lieu thereof, and subject to the consent of the Employer, such Member or his beneficiary may elect to receive a single lump sum payment. Such election must be in writing to the Employer at least one week prior to the date upon which the first instalment of his pension benefit would fall due, and must be signed by the Member and his spouse, if any, or his beneficiary. The commuted value so elected shall be an amount determined by the Employer, in his sole discretion, as the actuarially computed value of the aggregate pension benefits otherwise payable to the said Member. Payment of such commuted equivalent shall constitute a valid discharge of all obligations of the Plan with respect to services rendered the Employer by the said Member.

Optional Pension Benefits:

16. A Member of the Plan with respect to whom no widow's or dependent children's benefits would be payable in the event of death, may elect at least one year prior to retirement to receive his pension in any one or more of the following forms:

- (a) A joint life and last survivor pension with a named beneficiary.
- (b) A pension with a guarantee period of ten (10) years.

In the event of the death, after retirement, of a Member who had elected and been granted an optional pension with a guaranteed period of ten (10) years, before he had been paid the first 120 monthly instalments of such optional pension, the remaining balance of such unpaid instalments shall be paid to his legal representative or his estate as they fall due. Alternatively, the discounted value of such unpaid instalments may be paid to his legal representative or his estate in one lump sum.

Any Member of the Plan may elect, at least one year prior to his retirement, to receive his pension adjusted in accordance with the following option:

- (c) A "stepped" pension which is at an increased amount up to age seventy (70) then reducing by the amount of his anticipated old age security pension, so that his aggregate income from these two sources is uniform throughout retirement.

An election of the foregoing options (a) and (b) by a Member without pensionable dependents, automatically becomes inoperative in the event of his marriage.

The amount of these optional pensions shall be actuarially equivalent to the pension to which the Member is otherwise entitled under the Plan.

Re-employment:

17. If for any reason a Member's Service is terminated subsequent to the Effective Date, and he is later re-employed with the Employer, the benefit, if any, to which he became entitled under the Plan on such severance of employment shall not be affected by reason of his re-employment, and his Credited Service shall accrue as if he were a new Employee for all purposes of the Plan.

Employer Contributions:

18. The Employer undertakes to pay to the Insurer each year such amounts as may be required in addition to the contributions made by the Members to ensure that the benefits stipulated in the Plan will be provided in full when due.

Assignment:

19. A Member of the Plan may not borrow against benefits payable under the Plan and his contributions may not be withdrawn except in the case of a Member who has left the Service of the Employer. Benefits payable or which may become payable under the Plan may not be assigned by any person who is or may become entitled to them, whether for value or otherwise. No instrument purporting to effect such an assignment shall be binding upon the Insurer and/or the Employer.

Right of Employer:

20. Nothing stated in this Plan shall deprive the Employer of its right to dismiss or retire an Employee. In determining pension benefits, Records of the Employer with respect to Service, Earnings and Contributions shall be conclusive.

Continuance of Membership:

21. Membership in the Plan shall be deemed to continue until the Member's death or until all benefit obligations under the Plan to the Member shall have been discharged, whichever first occurs.

Actuary:

22. The Board shall appoint an Actuary who shall be a Fellow of a recognized Actuarial Society who shall advise the Employer with respect to questions put to him and particularly matters affecting the solvency of the Plan. He shall prepare such actuarial statements as may be required by the Employer and shall report to the Board from time to time as may be required on the general condition of the Plan and at least every four years he shall prepare and submit to the Board a complete valuation of the assets and liabilities of the Plan, taking into account the terms of the contract or contracts issued to the Employer by the Insurer or Insurers, together with such other assumptions as he may deem proper.

Underwriting of Benefits:

23. The Employer will remit to the Insurer as of the end of each month the Member's contributions together with such Employer contributions as are estimated upon the advice of the Actuary to be required to provide the stipulated pension benefits. The Insurer will retain such payments on deposit and charge to Fund, so created, the cost of the paid-up annuities issued by the Insurer at the direction of the Employer to members of the Plan upon retirement on pension or upon termination of Service, together with the administrative charges permitted under the Insurer's contract.

The Insurer shall credit to the Fund from time to time interest in accordance with the terms of the contract issued by the Insurer to the Employer.

The Employer may pay any death benefits or refunds of Members' contributions which become payable under the Plan from time to time, and deduct such payments from subsequent remittances of current contributions to the Insurer.

Upon the retirement on pension of a Member of the Plan, or upon election of paid-up annuity benefits by a Member of the Plan whose Service with the Employer has been terminated, the Insurer shall, at the direction of the Employer, issue to such an Employee a Certificate for the amount of paid-up annuity to which the Employee has become entitled in accordance with the provisions of the Plan.

When such a Certificate is issued, or when a refund of a Member's contributions is made to the Member upon termination of his employment, all liability on the part of the Employer with respect to Pension Credits accrued up to the date of such certificate or refund, shall cease.

In the case of a Member who is retired under the Disability provisions of the Plan, payment of benefits may be on a month to month or year to year basis, at the discretion of the Employer, until the Employee attains his Normal Retirement date when he shall be entitled to receive a Certificate issued by the Insurer and the payment of benefits shall no longer be subject to cancellation or suspension.

Proof of Age:

24. Before any pension benefit accruing to a Member under this Plan may be paid, proof of the age of the Member satisfactory to the Employer and to the Insurer must be supplied.

Amendment and Discontinuance:

25. The Employer reserves the right to amend or discontinue the Plan provided always:

- (a) that no such amendment or discontinuance shall entitle the Employer to recover any contribution whatever made by it into the Plan;
- (b) that no such amendment or discontinuance shall reduce the accumulated benefits which have accrued to the Members under the Plan by reason of their service to the Employer up to the date of such amendment or discontinuance and with respect to which the required contributions to the Fund have already been made.





The Board of Education for the
Township of Etobicoke

1st Reading

2nd Reading

3rd Reading

MR. LEWIS

(*Private Bill*)

BILL Pr17

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

**An Act respecting The Board of Education
for the Township of Etobicoke**

MR. LEWIS

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
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An Act respecting The Board of Education for the Township of Etobicoke

WHEREAS The Board of Education for the Township Preamble
of Etobicoke, herein called the Board, by its petition
has prayed for special legislation with respect to the matters
hereinafter set forth; and whereas it is expedient to grant the
prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. The Pension Plan of the Board, set forth as the Schedule Pension Plan
hereto, is declared to be legal, valid and binding upon the ratified
Board and the Board is hereby empowered to carry out all
its obligations that might arise thereunder.

2. The Pension Plan may, with the approval of the Amendment or dis-
Minister of Education, be amended from time to time or continuance of Plan
discontinued at any time by the Board, provided that any
such amendment or discontinuance shall not adversely affect
the pensions, other benefits and privileges of the members of
the Pension Plan that have accrued by reason of their service
to the Board to the date of such amendment or discontinuance
and with respect to which the required contributions have
been made by such members.

3. This Act comes into force on the day it receives Royal Commence-
Assent. ment

4. This Act may be cited as *The Township of Etobicoke* Short title
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Definitions:

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 - (i) "Full Accrued Pension Credit". In the case of an Employee Member, the full accrued pension credit at any stated date equals the pension benefit which would be payable to him on Normal Retirement, with respect to his Credited Service and Earnings up to such date.

In the case of a retired Member, the Full Accrued Pension Credit at any date equals the pension benefit which he is receiving in accordance with the Plan.
 - (j) "Fund" means the monies, securities, negotiable instruments, and other property in the custody of the Insurer for the carrying out of the purposes of the Plan.
 - (k) "Insurer" means any Insurance Company licensed to transact business and carrying on business in Ontario and appointed by the Board to administer the Plan.
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 - (i) Leave authorized by the Employer, whether due to illness or for any other reason.
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- (p) "Superseded Plan" means the Board of Education for the Township of Etobicoke Retirement Pension Plan under which Employees' pension credits have accrued up to the Effective Date of this Plan.
- (q) Words importing the masculine gender include the feminine gender unless the context indicates otherwise.

Eligibility:

2. All Employees in the service of the Employer on the Effective Date who have attained the first anniversary of the date of their employment but have not attained age 65, shall be eligible to apply for membership in the Plan. Future employees will become eligible to apply for membership in the Plan as of the first day of the month coincident with or next following the first anniversary of the date of their employment.

Membership:

3. Eligible Employees who were members of the Superseded Plan immediately prior to the Effective Date shall be transferred to this Plan as from such date.

All other eligible Employees engaged prior to the Effective Date may apply for membership in the Plan.

Each Employee engaged on or after the Effective Date is required to join the Plan as from the date when he first becomes eligible, except that no eligible female employee is required to join the Plan until the 1st of the month coincident with, or next following her 30th birthday.

Contributions By Members:

4. Each Member shall contribute to the Plan 5% of his earnings to be deducted from each pay as long as he remains in the Employer's Service.

Normal Retirement:

5. The normal retirement date of a Member under the Plan shall be the 1st of July coincident with or next following his attainment of the age of 65 years. However, continuance of employment after age 65 shall be at the Board's discretion from year to year but not beyond age 70. Pension payments will be made monthly commencing at the first of the month coincident with or next following retirement and will continue as long as

the Member lives, the last payment being made as of the first day of the month in which the Member's death occurs subject to the provisions concerning Benefits on Death.

Amount of Pension:

6. The annual pension benefit (payable monthly) to which a Member shall be entitled on normal retirement shall be the greater of the two following amounts in accordance with Section (a) or (b):

- (a) $1\frac{3}{4}\%$ of the average Earnings with respect to which normal Employee contributions have been made during his period of Credited Service, multiplied by the number of his years of Credited Service, (equivalent to $1\frac{3}{4}\%$ of the Member's total Earnings during his years of Credited Service).

— OR —

- (b) $1\frac{1}{8}\%$ of the Member's average Earnings during the last five years of his Service prior to retirement with respect to which normal Employee contributions have been made, multiplied by his years of service as hereinafter defined up to but not in excess of thirty (30) years, less the amount of any Pension benefit payable under the Board of Education for The Township of Etobicoke Retirement Pension Plan or any other Pension benefit towards the cost of which the Board of Education for The Township of Etobicoke has contributed, provided, however, that if a member's average earnings during the five-year period immediately preceding the date of his retirement were less, by reason of special circumstances peculiar to him, than his average earnings during some other period of five consecutive years, his highest continuous five-year average earnings may be used in determining this benefit. For the purposes of this subsection (b) of Provision 6 the number of years of service to be credited shall be the Employee's years of credited service under this Plan together with any years of continuous service with the Employer prior to the Effective Date of this Plan after the completion of one year service except

- (i) any years of service during which an Employee was eligible to contribute to a Pension Plan of the Employer and did not make a contribution,

— and —

- (ii) any years of service prior to such a period of voluntary non-contribution.

Disability Retirement:

7. Any Member in the active service of the Employer who has a total of ten (10) years of Continuous Service with the Employer, and who becomes totally and apparently permanently disabled through injury or disease so as to be incapable of any employment for remuneration or profit, shall on his retirement be eligible for a Disability Pension Benefit.

Any Member in the active service of the Employer who has twenty (20) years of Continuous Service with the Employer, and who, as a result of disability becomes incapable of continuing in the Employer's Service, shall on his retirement be eligible for a Disability Pension Benefit.

The amount of such Member's Disability Pension shall be calculated with respect to his Earnings and Credited Service up to the date of his Disability Retirement in accordance with the formulæ set out in Section 6 hereof as if such date of disability retirement were his normal retirement date.

Notwithstanding the foregoing provisions of this section, the pension payable to a Member on Disability Retirement under the Plan shall be limited so that the total amount thereof including any other disability benefit to the cost of which the Employer has contributed, shall not exceed 75% of his Earnings immediately preceding his Disability Retirement Date.

A Member's Disability Pension will be payable from the Fund only during the period of his disablement and its continuance will be subject to such medical examinations and other evidence as may be required by the Employer from time to time.

In any case in which the Employer decides that the Member does not continue to qualify for Disability Benefit, payment thereof shall cease. However, in the event of such cessation of Disability Benefits, whether or not the Member is re-employed by the Employer, the Member shall retain any benefit to which he was entitled under the Plan by his years of Service prior to his Disability Retirement as if his Disability Retirement had not occurred.

Early Retirement:

8. A Member may elect to retire at any time after his attainment of sixty (60) years of age.

The Pension benefit payable from the Plan to a Member as from such Early Retirement Date shall be the reduced actuarial equivalent (as determined by the Actuary) of the pension benefit to which he would have become entitled under his Credited Service at such Early Retirement Date, and shall be based upon his average annual Earnings during the applicable period prior to such Early Retirement Date in accordance with the provisions of Section 6.

Postponed Retirement:

9. With the consent of the Employer in writing a Member may remain in the active service of the Employer past the attainment of age sixty-five (65). In such an event payment of the Member's pension will not commence until his actual retirement. Such postponement of retirement may be granted by the Employer for a period not in excess of one year, and renewal thereof shall be subject to review and decision by the Employer prior to the end of each such period.

During such extension of Service the Member's contributions to the Plan shall continue and his Credited Service will extend up to his actual Retirement Date.

The pension benefit to which a Member shall become entitled upon postponed retirement shall be calculated with respect to his Credited Service up to his actual retirement date as if such date were his normal retirement date, and shall be based upon his Average Earnings during the applicable period prior to such actual retirement date, in accordance with the provisions of Section 6.

Cash Withdrawal Benefit:

10. On severance of employment at any time a Member shall become entitled to a refund of the total of his contributions to the Plan with Accumulated Interest thereon up to his severance of employment, which shall be paid to him forthwith, unless the Member elects a Deferred Pension Withdrawal Benefit under the Plan. Payment of such refund to the Member shall discharge all obligations of the Fund with reference to the Member's Service prior to such severance.

Deferred Pension Withdrawal Benefit:

11. A Member upon severance of employment may elect, in lieu of other benefits provided under the Plan, a Deferred Pension Benefit purchased by the total of his contributions with accumulated interest, together with a portion of the contributions with accumulated interest made by the Employer on his behalf prior to severance, in accordance with the following table:

Years of Service	Vested Portion of Employer Contributions
6	20%
7	40%
8	60%
9	80%
10	100%

Such contributions by the Employer are hereby defined as contributions with respect to Pension Benefits payable to the Member under the Plan based on the Member's average Earnings during the period of Credited Service preceding his date of severance as set forth in Provision 6 (a) and (b).

The aforesaid Deferred Pension Benefit shall be determined at the date of severance of employment and shall vest in the Member, and the Plan shall not be liable for the provision of any additional benefits with respect to the period of Service preceding such severance.

Such a Member shall be entitled to similar privileges with respect to the election of early retirement pension benefits and optional pension benefits as if he had remained in the service of the Employer.

However, no such Member shall be entitled after termination of his Service to make any Claim for any Disability Pension Benefit under this Plan.

A Member entitled to such Deferred Pension Benefit will retain his right to elect, at any time prior to the commencement of his pension payments, a lump sum refund of the total of his contributions to the Plan with accumulated interest, in lieu of such pension benefit.

On the death, prior to retirement under this Plan, of a Member who has elected Deferred Pension Withdrawal Benefit and who has not withdrawn his own contributions to the Plan, a lump sum refund of the total of such contributions, with accumulated interest thereon up to the date of his death, shall be made to his named beneficiary, if any, otherwise to his estate or legal representative.

In the event of the death of such a Member after commencing to receive pension payments under this Plan and before he has received sixty (60) monthly instalments thereof, the remaining balance of such unpaid instalments shall be paid to his named beneficiary, legal representative or his estate, as they fall due.

It is hereby expressly stipulated that on the death of a Member who has elected a Deferred Pension Benefit under this Plan no pension, or other benefit, will become payable to his dependents, beneficiary or estate other than as provided in the foregoing paragraphs.

It is expressly stipulated further that any deferred pension benefit to which a Member may become entitled hereunder shall be provided for such Member under a contract issued to him by the Insurer and the issuance of such contract shall constitute a full valid discharge to the Employer with respect to the claims of such employee under the Plan arising out of service prior to the date of issuance of the said Contract.

Benefit on Death Prior to Retirement:

12. (a) In the event of the death of a married male Employee his surviving widow shall be entitled to a pension benefit equal to one-half of the Member's full accrued pension credit, i.e., one-half of the pension benefit to which he would have been entitled had he retired as of the date of his death at the full pension rate without actuarial reduction for early retirement, based on his Credited Service and Average Earnings up to the date of his death. Payment of such widow pension benefit shall be continued until the recipient's death.

- (i) Provided, however, in the case of a widow who is more than fifteen (15) years younger than her husband, a reduced widow's pension will be payable based on the maximum cost of the widow's pension being that for a widow fifteen (15) years younger than her husband in accordance with tables prepared by the Insurer having regard to the disparity in ages.

(b) If on or after the death of an Employee there is no person eligible for a widow pension benefit under the Plan with respect to his Service, then a pension benefit shall be payable to his dependent children, if any, in accordance with the following:

- (i) The pension benefit to which a dependent child or children shall be entitled will be calculated at the rate of 40% of the Member's full accrued pension credit if there be only one such child, and 60% thereof if there be two or more such children.
- (ii) Pension benefit with respect to any dependent child of the Deceased Member shall terminate on the child's death or on his attainment of the age of 18 years whichever first occurs, provided however that in the case of any invalid child such pension shall be continued as long as the child remains dependent.

(c) In the event of the death of any Member of the Plan prior to retirement, with respect to whom no widow's or children's pension is payable under the Plan, his legal representative, or his estate, shall be entitled to a return of the Member's total contributions with Accumulated Interest, which shall be paid forthwith either in one sum or in instalments as may be approved by the Employer.

(d) The decision of the Employer shall be conclusive as to the person or persons entitled, on the death of a Member, to pension benefits, and/or death benefits, and/or residuary benefits, under this Plan with respect to such Member's period of Service with the Employer.

Benefit on Death After Retirement:

13. In the event of the death of a Member of the Plan after his retirement, the benefits described in the foregoing subsections (a) and (b) of Section 12 will be payable to his widow if eligible to receive widow pension, or to his dependent child or children, all in accordance with the terms of the said Section 12, provided however that:

- (a) To be eligible therefor, such widow must have married the Member five (5) full years prior to his retirement; and
- (b) Such children must have been born of a marriage entered into prior to the Member's retirement, or legally adopted prior to the Member's retirement; and
- (c) The amounts of such pension benefits shall be computed on the basis of the Pension benefit to which the retired Member is entitled under the Plan.

In the event of the death after retirement of any Member of the Plan leaving no surviving widow, or dependent child (under 18 or invalid), and before the Member has received sixty (60) monthly instalments of the

pension to which he is entitled, the remaining balance of such unpaid instalments shall be paid to his legal representative or his estate, as they fall due. Alternatively, the discounted value of such unpaid instalments may be paid to his legal representative or his estate in one lump sum.

Residuary Benefit:

14. If the total of all instalments of pension benefit provided for by this Plan with respect to the Service of a deceased Member should be less than the total of his own contributions to the Plan with Accumulated Interest thereon to the termination of his contributory Service, a residual lump sum benefit equal to the difference shall be paid to his estate or legal representative, so that in no case shall the total benefits payable with respect to a Member's Service be less than his contributions to the Plan with Accumulated Interest as aforesaid.

Commution of Small Pension Benefits:

15. Should a Member or his beneficiary become entitled under the Plan to a pension benefit amounting to less than \$10.00 per month, the Employer may recommend that the payment of an equivalent benefit be made in advance on a quarterly or annual basis.

In lieu thereof, and subject to the consent of the Employer, such Member or his beneficiary may elect to receive a single lump sum payment. Such election must be in writing to the Employer at least one week prior to the date upon which the first instalment of his pension benefit would fall due, and must be signed by the Member and his spouse, if any, or his beneficiary. The commuted value so elected shall be an amount determined by the Employer, in his sole discretion, as the actuarially computed value of the aggregate pension benefits otherwise payable to the said Member. Payment of such commuted equivalent shall constitute a valid discharge of all obligations of the Plan with respect to services rendered the Employer by the said Member.

Optional Pension Benefits:

16. A Member of the Plan with respect to whom no widow's or dependent children's benefits would be payable in the event of death, may elect at least one year prior to retirement to receive his pension in any one or more of the following forms:

- (a) A joint life and last survivor pension with a named beneficiary.
- (b) A pension with a guarantee period of ten (10) years.

In the event of the death, after retirement, of a Member who had elected and been granted an optional pension with a guaranteed period of ten (10) years, before he had been paid the first 120 monthly instalments of such optional pension, the remaining balance of such unpaid instalments shall be paid to his legal representative or his estate as they fall due. Alternatively, the discounted value of such unpaid instalments may be paid to his legal representative or his estate in one lump sum.

Any Member of the Plan may elect, at least one year prior to his retirement, to receive his pension adjusted in accordance with the following option:

- (c) A "stepped" pension which is at an increased amount up to age seventy (70) then reducing by the amount of his anticipated old age security pension, so that his aggregate income from these two sources is uniform throughout retirement.

An election of the foregoing options (a) and (b) by a Member without pensionable dependents, automatically becomes inoperative in the event of his marriage.

The amount of these optional pensions shall be actuarially equivalent to the pension to which the Member is otherwise entitled under the Plan.

Re-employment:

17. If for any reason a Member's Service is terminated subsequent to the Effective Date, and he is later re-employed with the Employer, the benefit, if any, to which he became entitled under the Plan on such severance of employment shall not be affected by reason of his re-employment, and his Credited Service shall accrue as if he were a new Employee for all purposes of the Plan.

Employer Contributions:

18. The Employer undertakes to pay to the Insurer each year such amounts as may be required in addition to the contributions made by the Members to ensure that the benefits stipulated in the Plan will be provided in full when due.

Assignment:

19. A Member of the Plan may not borrow against benefits payable under the Plan and his contributions may not be withdrawn except in the case of a Member who has left the Service of the Employer. Benefits payable or which may become payable under the Plan may not be assigned by any person who is or may become entitled to them, whether for value or otherwise. No instrument purporting to effect such an assignment shall be binding upon the Insurer and/or the Employer.

Right of Employer:

20. Nothing stated in this Plan shall deprive the Employer of its right to dismiss or retire an Employee. In determining pension benefits, Records of the Employer with respect to Service, Earnings and Contributions shall be conclusive.

Continuance of Membership:

21. Membership in the Plan shall be deemed to continue until the Member's death or until all benefit obligations under the Plan to the Member shall have been discharged, whichever first occurs.

Actuary:

22. The Board shall appoint an Actuary who shall be a Fellow of a recognized Actuarial Society who shall advise the Employer with respect to questions put to him and particularly matters affecting the solvency of the Plan. He shall prepare such actuarial statements as may be required by the Employer and shall report to the Board from time to time as may be required on the general condition of the Plan and at least every four years he shall prepare and submit to the Board a complete valuation of the assets and liabilities of the Plan, taking into account the terms of the contract or contracts issued to the Employer by the Insurer or Insurers, together with such other assumptions as he may deem proper.

Underwriting of Benefits:

23. The Employer will remit to the Insurer as of the end of each month the Member's contributions together with such Employer contributions as are estimated upon the advice of the Actuary to be required to provide the stipulated pension benefits. The Insurer will retain such payments on deposit and charge to Fund, so created, the cost of the paid-up annuities issued by the Insurer at the direction of the Employer to members of the Plan upon retirement on pension or upon termination of Service, together with the administrative charges permitted under the Insurer's contract.

The Insurer shall credit to the Fund from time to time interest in accordance with the terms of the contract issued by the Insurer to the Employer.

The Employer may pay any death benefits or refunds of Members' contributions which become payable under the Plan from time to time, and deduct such payments from subsequent remittances of current contributions to the Insurer.

Upon the retirement on pension of a Member of the Plan, or upon election of paid-up annuity benefits by a Member of the Plan whose Service with the Employer has been terminated, the Insurer shall, at the direction of the Employer, issue to such an Employee a Certificate for the amount of paid-up annuity to which the Employee has become entitled in accordance with the provisions of the Plan.

When such a Certificate is issued, or when a refund of a Member's contributions is made to the Member upon termination of his employment, all liability on the part of the Employer with respect to Pension Credits accrued up to the date of such certificate or refund, shall cease.

In the case of a Member who is retired under the Disability provisions of the Plan, payment of benefits may be on a month to month or year to year basis, at the discretion of the Employer, until the Employee attains his Normal Retirement date when he shall be entitled to receive a Certificate issued by the Insurer and the payment of benefits shall no longer be subject to cancellation or suspension.

Proof of Age:

24. Before any pension benefit accruing to a Member under this Plan may be paid, proof of the age of the Member satisfactory to the Employer and to the Insurer must be supplied.

Amendment and Discontinuance:

25. The Employer reserves the right to amend or discontinue the Plan provided always:

- (a) that no such amendment or discontinuance shall entitle the Employer to recover any contribution whatever made by it into the Plan;
- (b) that no such amendment or discontinuance shall reduce the accumulated benefits which have accrued to the Members under the Plan by reason of their service to the Employer up to the date of such amendment or discontinuance and with respect to which the required contributions to the Fund have already been made.







The Board of Education for the
Township of Etobicoke

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. LEWIS

(Reprinted as amended by the
Committee on Private Bills)

BILL Pr17

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting The Board of Education for the Township of Etobicoke

MR. LEWIS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr17

1960

An Act respecting The Board of Education for the Township of Etobicoke

WHEREAS The Board of Education for the Township ^{Preamble}
of Etobicoke, herein called the Board, by its petition
has prayed for special legislation with respect to the matters
hereinafter set forth; and whereas it is expedient to grant the
prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. The Pension Plan of the Board, set forth as the Schedule ^{Pension}
hereto, is declared to be legal, valid and binding upon the ^{Plan}
Board and the Board is hereby empowered to carry out all ^{ratified}
its obligations that might arise thereunder.

2. The Pension Plan may, with the approval of the ^{Amendment}
Minister of Education, be amended from time to time or ^{or dis-}
discontinued at any time by the Board, provided that any ^{continuance}
such amendment or discontinuance shall not adversely affect ^{of Plan}
the pensions, other benefits and privileges of the members of
the Pension Plan that have accrued by reason of their service
to the Board to the date of such amendment or discontinuance
and with respect to which the required contributions have
been made by such members.

3. This Act comes into force on the day it receives Royal ^{Commence-}
Assent. ^{ment}

4. This Act may be cited as *The Township of Etobicoke* ^{Short title}
Board of Education Act, 1960.

SCHEDULE

THE BOARD OF EDUCATION FOR THE TOWNSHIP OF ETOBICOKE

PENSION PLAN

Definitions:

1. For the purposes of this Employee Pension Plan:
 - (a) "Accumulated interest" means interest earnings credited and compounded annually in accordance with rates of interest declared by the Employer from time to time.
 - (b) "Board" means The Board of Education for The Township of Etobicoke.
 - (c) "Credited Service" means the total period of a Member's Service, to the nearest completed month, with respect to which Employee Contributions have been made to the Plan and with respect to which no Withdrawal Benefit has become payable or vested, subject to the conditions of Provision 6 (b).
 - (d) "Continuous Service" means Service with no interruptions except those referred to in the definition of "Service" herein.
 - (e) "Effective Date" means the first day of the calendar month following the date The Board of Education for the Township of Etobicoke Act, 1960 receives Royal Assent.
 - (f) "Employer" means The Board of Education for The Township of Etobicoke.
 - (g) "Employee" means any salaried officer or other regular Employee of the Employer who is not a contributor to the Teachers' Superannuation Fund.
 - (h) "Earnings" means the total compensation received by a Member from the Employer excluding, bonuses, overtime pay or special payments.
 - (i) "Full Accrued Pension Credit". In the case of an Employee Member, the full accrued pension credit at any stated date equals the pension benefit which would be payable to him on Normal Retirement, with respect to his Credited Service and Earnings up to such date.

In the case of a retired Member, the Full Accrued Pension Credit at any date equals the pension benefit which he is receiving in accordance with the Plan.
 - (j) "Fund" means the monies, securities, negotiable instruments, and other property in the custody of the Insurer for the carrying out of the purposes of the Plan.
 - (k) "Insurer" means any Insurance Company licensed to transact business and carrying on business in Ontario and appointed by the Board to administer the Plan.
 - (l) "Member" means an employee whose application for membership in the Plan has been accepted by the Employer and who has authorized the required deductions from his earnings as set out in the Plan.

- (m) "Plan" means the Pension Plan for the employees of the Board of Education for The Township of Etobicoke established as from the Effective Date and as set forth herein.
- (n) "Retirement" means the termination of a Member's Service with the Employer under circumstances which in accordance with the Plan entitle him to commence to receive Pension Benefits.
- (o) "Service" means the period of time with respect to which an Employee is in receipt of pay from the Employer, excluding any period during which the Member is in receipt of Disability Pension Benefit under the Plan, and shall include the following interruptions of such service:
 - (i) Leave authorized by the Employer, whether due to illness or for any other reason.
 - (ii) Recognized periods of absence on Her Majesty's Service during a period of war or national emergency.
- (p) "Superseded Plan" means the Board of Education for the Township of Etobicoke Retirement Pension Plan under which Employees' pension credits have accrued up to the Effective Date of this Plan.
- (q) Words importing the masculine gender include the feminine gender unless the context indicates otherwise.

Eligibility:

2. All Employees in the service of the Employer on the Effective Date who have attained the first anniversary of the date of their employment but have not attained age 65, shall be eligible to apply for membership in the Plan. Future employees will become eligible to apply for membership in the Plan as of the first day of the month coincident with or next following the first anniversary of the date of their employment.

Membership:

3. Eligible Employees who were members of the Superseded Plan immediately prior to the Effective Date shall be transferred to this Plan as from such date.

All other eligible Employees engaged prior to the Effective Date may apply for membership in the Plan.

Each Employee engaged on or after the Effective Date is required to join the Plan as from the date when he first becomes eligible, except that no eligible female employee is required to join the Plan until the 1st of the month coincident with, or next following her 30th birthday.

Contributions By Members:

4. Each Member shall contribute to the Plan 5% of his earnings to be deducted from each pay as long as he remains in the Employer's Service.

Normal Retirement:

5. The normal retirement date of a Member under the Plan shall be the 1st of July coincident with or next following his attainment of the age of 65 years. However, continuance of employment after age 65 shall be at the Board's discretion from year to year but not beyond age 70. Pension payments will be made monthly commencing at the first of the month coincident with or next following retirement and will continue as long as

the Member lives, the last payment being made as of the first day of the month in which the Member's death occurs subject to the provisions concerning Benefits on Death.

Amount of Pension:

6. The annual pension benefit (payable monthly) to which a Member shall be entitled on normal retirement shall be the greater of the two following amounts in accordance with Section (a) or (b):

- (a) $1\frac{3}{4}\%$ of the average Earnings with respect to which normal Employee contributions have been made during his period of Credited Service, multiplied by the number of his years of Credited Service, (equivalent to $1\frac{3}{4}\%$ of the Member's total Earnings during his years of Credited Service).

— OR —

- (b) $1\frac{1}{8}\%$ of the Member's average Earnings during the last five years of his Service prior to retirement with respect to which normal Employee contributions have been made, multiplied by his years of service as hereinafter defined up to but not in excess of thirty (30) years, less the amount of any Pension benefit payable under the Board of Education for The Township of Etobicoke Retirement Pension Plan or any other Pension benefit towards the cost of which the Board of Education for The Township of Etobicoke has contributed, provided, however, that if a member's average earnings during the five-year period immediately preceding the date of his retirement were less, by reason of special circumstances peculiar to him, than his average earnings during some other period of five consecutive years, his highest continuous five-year average earnings may be used in determining this benefit. For the purposes of this subsection (b) of Provision 6 the number of years of service to be credited shall be the Employee's years of credited service under this Plan together with any years of continuous service with the Employer prior to the Effective Date of this Plan after the completion of one year service except

- (i) any years of service during which an Employee was eligible to contribute to a Pension Plan of the Employer and did not make a contribution,

— and —

- (ii) any years of service prior to such a period of voluntary non-contribution.

Disability Retirement:

7. Any Member in the active service of the Employer who has a total of ten (10) years of Continuous Service with the Employer, and who becomes totally and apparently permanently disabled through injury or disease so as to be incapable of any employment for remuneration or profit, shall on his retirement be eligible for a Disability Pension Benefit.

Any Member in the active service of the Employer who has twenty (20) years of Continuous Service with the Employer, and who, as a result of disability becomes incapable of continuing in the Employer's Service, shall on his retirement be eligible for a Disability Pension Benefit.

The amount of such Member's Disability Pension shall be calculated with respect to his Earnings and Credited Service up to the date of his Disability Retirement in accordance with the formulae set out in Section 6 hereof as if such date of disability retirement were his normal retirement date.

Notwithstanding the foregoing provisions of this section, the pension payable to a Member on Disability Retirement under the Plan shall be limited so that the total amount thereof including any other disability benefit to the cost of which the Employer has contributed, shall not exceed 75% of his Earnings immediately preceding his Disability Retirement Date.

A Member's Disability Pension will be payable from the Fund only during the period of his disablement and its continuance will be subject to such medical examinations and other evidence as may be required by the Employer from time to time.

In any case in which the Employer decides that the Member does not continue to qualify for Disability Benefit, payment thereof shall cease. However, in the event of such cessation of Disability Benefits, whether or not the Member is re-employed by the Employer, the Member shall retain any benefit to which he was entitled under the Plan by his years of Service prior to his Disability Retirement as if his Disability Retirement had not occurred.

Early Retirement:

8. A Member may elect to retire at any time after his attainment of sixty (60) years of age.

The Pension benefit payable from the Plan to a Member as from such Early Retirement Date shall be the reduced actuarial equivalent (as determined by the Actuary) of the pension benefit to which he would have become entitled under his Credited Service at such Early Retirement Date, and shall be based upon his average annual Earnings during the applicable period prior to such Early Retirement Date in accordance with the provisions of Section 6.

Postponed Retirement:

9. With the consent of the Employer in writing a Member may remain in the active service of the Employer past the attainment of age sixty-five (65). In such an event payment of the Member's pension will not commence until his actual retirement. Such postponement of retirement may be granted by the Employer for a period not in excess of one year, and renewal thereof shall be subject to review and decision by the Employer prior to the end of each such period.

During such extension of Service the Member's contributions to the Plan shall continue and his Credited Service will extend up to his actual Retirement Date.

The pension benefit to which a Member shall become entitled upon postponed retirement shall be calculated with respect to his Credited Service up to his actual retirement date as if such date were his normal retirement date, and shall be based upon his Average Earnings during the applicable period prior to such actual retirement date, in accordance with the provisions of Section 6.

Cash Withdrawal Benefit:

10. On severance of employment at any time a Member shall become entitled to a refund of the total of his contributions to the Plan with Accumulated Interest thereon up to his severance of employment, which shall be paid to him forthwith, unless the Member elects a Deferred Pension Withdrawal Benefit under the Plan. Payment of such refund to the Member shall discharge all obligations of the Fund with reference to the Member's Service prior to such severance.

Deferred Pension Withdrawal Benefit:

11. A Member upon severance of employment may elect, in lieu of other benefits provided under the Plan, a Deferred Pension Benefit purchased by the total of his contributions with accumulated interest, together with a portion of the contributions with accumulated interest made by the Employer on his behalf prior to severance, in accordance with the following table:

Years of Service	Vested Portion of Employer Contributions
6	20%
7	40%
8	60%
9	80%
10	100%

Such contributions by the Employer are hereby defined as contributions with respect to Pension Benefits payable to the Member under the Plan based on the Member's average Earnings during the period of Credited Service preceding his date of severance as set forth in Provision 6 (a) and (b).

The aforesaid Deferred Pension Benefit shall be determined at the date of severance of employment and shall vest in the Member, and the Plan shall not be liable for the provision of any additional benefits with respect to the period of Service preceding such severance.

Such a Member shall be entitled to similar privileges with respect to the election of early retirement pension benefits and optional pension benefits as if he had remained in the service of the Employer.

However, no such Member shall be entitled after termination of his Service to make any Claim for any Disability Pension Benefit under this Plan.

A Member entitled to such Deferred Pension Benefit will retain his right to elect, at any time prior to the commencement of his pension payments, a lump sum refund of the total of his contributions to the Plan with accumulated interest, in lieu of such pension benefit.

On the death, prior to retirement under this Plan, of a Member who has elected Deferred Pension Withdrawal Benefit and who has not withdrawn his own contributions to the Plan, a lump sum refund of the total of such contributions, with accumulated interest thereon up to the date of his death, shall be made to his named beneficiary, if any, otherwise to his estate or legal representative.

In the event of the death of such a Member after commencing to receive pension payments under this Plan and before he has received sixty (60) monthly instalments thereof, the remaining balance of such unpaid instalments shall be paid to his named beneficiary, legal representative or his estate, as they fall due.

It is hereby expressly stipulated that on the death of a Member who has elected a Deferred Pension Benefit under this Plan no pension, or other benefit, will become payable to his dependents, beneficiary or estate other than as provided in the foregoing paragraphs.

It is expressly stipulated further that any deferred pension benefit to which a Member may become entitled hereunder shall be provided for such Member under a contract issued to him by the Insurer and the issuance of such contract shall constitute a full valid discharge to the Employer with respect to the claims of such employee under the Plan arising out of service prior to the date of issuance of the said Contract.

Benefit on Death Prior to Retirement:

12. (a) In the event of the death of a married male Employee his surviving widow shall be entitled to a pension benefit equal to one-half of the Member's full accrued pension credit, i.e., one-half of the pension benefit to which he would have been entitled had he retired as of the date of his death at the full pension rate without actuarial reduction for early retirement, based on his Credited Service and Average Earnings up to the date of his death. Payment of such widow pension benefit shall be continued until the recipient's death.

- (i) Provided, however, in the case of a widow who is more than fifteen (15) years younger than her husband, a reduced widow's pension will be payable based on the maximum cost of the widow's pension being that for a widow fifteen (15) years younger than her husband in accordance with tables prepared by the Insurer having regard to the disparity in ages.

(b) If on or after the death of an Employee there is no person eligible for a widow pension benefit under the Plan with respect to his Service, then a pension benefit shall be payable to his dependent children, if any, in accordance with the following:

- (i) The pension benefit to which a dependent child or children shall be entitled will be calculated at the rate of 40% of the Member's full accrued pension credit if there be only one such child, and 60% thereof if there be two or more such children.

- (ii) Pension benefit with respect to any dependent child of the Deceased Member shall terminate on the child's death or on his attainment of the age of 18 years whichever first occurs, provided however that in the case of any invalid child such pension shall be continued as long as the child remains dependent.

(c) In the event of the death of any Member of the Plan prior to retirement, with respect to whom no widow's or children's pension is payable under the Plan, his legal representative, or his estate, shall be entitled to a return of the Member's total contributions with Accumulated Interest, which shall be paid forthwith either in one sum or in instalments as may be approved by the Employer.

(d) The decision of the Employer shall be conclusive as to the person or persons entitled, on the death of a Member, to pension benefits, and/or death benefits, and/or residuary benefits, under this Plan with respect to such Member's period of Service with the Employer.

Benefit on Death After Retirement:

13. In the event of the death of a Member of the Plan after his retirement, the benefits described in the foregoing subsections (a) and (b) of Section 12 will be payable to his widow if eligible to receive widow pension, or to his dependent child or children, all in accordance with the terms of the said Section 12, provided however that:

- (a) To be eligible therefor, such widow must have married the Member five (5) full years prior to his retirement; and
- (b) Such children must have been born of a marriage entered into prior to the Member's retirement, or legally adopted prior to the Member's retirement; and
- (c) The amounts of such pension benefits shall be computed on the basis of the Pension benefit to which the retired Member is entitled under the Plan.

In the event of the death after retirement of any Member of the Plan leaving no surviving widow, or dependent child (under 18 or invalid), and before the Member has received sixty (60) monthly instalments of the

pension to which he is entitled, the remaining balance of such unpaid instalments shall be paid to his legal representative or his estate, as they fall due. Alternatively, the discounted value of such unpaid instalments may be paid to his legal representative or his estate in one lump sum.

Residuary Benefit:

14. If the total of all instalments of pension benefit provided for by this Plan with respect to the Service of a deceased Member should be less than the total of his own contributions to the Plan with Accumulated Interest thereon to the termination of his contributory Service, a residual lump sum benefit equal to the difference shall be paid to his estate or legal representative, so that in no case shall the total benefits payable with respect to a Member's Service be less than his contributions to the Plan with Accumulated Interest as aforesaid.

Commutation of Small Pension Benefits:

15. Should a Member or his beneficiary become entitled under the Plan to a pension benefit amounting to less than \$10.00 per month, the Employer may recommend that the payment of an equivalent benefit be made in advance on a quarterly or annual basis.

In lieu thereof, and subject to the consent of the Employer, such Member or his beneficiary may elect to receive a single lump sum payment. Such election must be in writing to the Employer at least one week prior to the date upon which the first instalment of his pension benefit would fall due, and must be signed by the Member and his spouse, if any, or his beneficiary. The commuted value so elected shall be an amount determined by the Employer, in his sole discretion, as the actuarially computed value of the aggregate pension benefits otherwise payable to the said Member. Payment of such commuted equivalent shall constitute a valid discharge of all obligations of the Plan with respect to services rendered the Employer by the said Member.

Optional Pension Benefits:

16. A Member of the Plan with respect to whom no widow's or dependent children's benefits would be payable in the event of death, may elect at least one year prior to retirement to receive his pension in any one or more of the following forms:

- (a) A joint life and last survivor pension with a named beneficiary.
- (b) A pension with a guarantee period of ten (10) years.

In the event of the death, after retirement, of a Member who had elected and been granted an optional pension with a guaranteed period of ten (10) years, before he had been paid the first 120 monthly instalments of such optional pension, the remaining balance of such unpaid instalments shall be paid to his legal representative or his estate as they fall due. Alternatively, the discounted value of such unpaid instalments may be paid to his legal representative or his estate in one lump sum.

Any Member of the Plan may elect, at least one year prior to his retirement, to receive his pension adjusted in accordance with the following option:

- (c) A "stepped" pension which is at an increased amount up to age seventy (70) then reducing by the amount of his anticipated old age security pension, so that his aggregate income from these two sources is uniform throughout retirement.

An election of the foregoing options (a) and (b) by a Member without pensionable dependents, automatically becomes inoperative in the event of his marriage.

The amount of these optional pensions shall be actuarially equivalent to the pension to which the Member is otherwise entitled under the Plan.

Re-employment:

17. If for any reason a Member's Service is terminated subsequent to the Effective Date, and he is later re-employed with the Employer, the benefit, if any, to which he became entitled under the Plan on such severance of employment shall not be affected by reason of his re-employment, and his Credited Service shall accrue as if he were a new Employee for all purposes of the Plan.

Employer Contributions:

18. The Employer undertakes to pay to the Insurer each year such amounts as may be required in addition to the contributions made by the Members to ensure that the benefits stipulated in the Plan will be provided in full when due.

Assignment:

19. A Member of the Plan may not borrow against benefits payable under the Plan and his contributions may not be withdrawn except in the case of a Member who has left the Service of the Employer. Benefits payable or which may become payable under the Plan may not be assigned by any person who is or may become entitled to them, whether for value or otherwise. No instrument purporting to effect such an assignment shall be binding upon the Insurer and/or the Employer.

Right of Employer:

20. Nothing stated in this Plan shall deprive the Employer of its right to dismiss or retire an Employee. In determining pension benefits, Records of the Employer with respect to Service, Earnings and Contributions shall be conclusive.

Continuance of Membership:

21. Membership in the Plan shall be deemed to continue until the Member's death or until all benefit obligations under the Plan to the Member shall have been discharged, whichever first occurs.

Actuary:

22. The Board shall appoint an Actuary who shall be a Fellow of a recognized Actuarial Society who shall advise the Employer with respect to questions put to him and particularly matters affecting the solvency of the Plan. He shall prepare such actuarial statements as may be required by the Employer and shall report to the Board from time to time as may be required on the general condition of the Plan and at least every four years he shall prepare and submit to the Board a complete valuation of the assets and liabilities of the Plan, taking into account the terms of the contract or contracts issued to the Employer by the Insurer or Insurers, together with such other assumptions as he may deem proper.

Underwriting of Benefits:

23. The Employer will remit to the Insurer as of the end of each month the Member's contributions together with such Employer contributions as are estimated upon the advice of the Actuary to be required to provide the stipulated pension benefits. The Insurer will retain such payments on deposit and charge to Fund, so created, the cost of the paid-up annuities issued by the Insurer at the direction of the Employer to members of the Plan upon retirement on pension or upon termination of Service, together with the administrative charges permitted under the Insurer's contract.

The Insurer shall credit to the Fund from time to time interest in accordance with the terms of the contract issued by the Insurer to the Employer.

The Employer may pay any death benefits or refunds of Members' contributions which become payable under the Plan from time to time, and deduct such payments from subsequent remittances of current contributions to the Insurer.

Upon the retirement on pension of a Member of the Plan, or upon election of paid-up annuity benefits by a Member of the Plan whose Service with the Employer has been terminated, the Insurer shall, at the direction of the Employer, issue to such an Employee a Certificate for the amount of paid-up annuity to which the Employee has become entitled in accordance with the provisions of the Plan.

When such a Certificate is issued, or when a refund of a Member's contributions is made to the Member upon termination of his employment, all liability on the part of the Employer with respect to Pension Credits accrued up to the date of such certificate or refund, shall cease.

In the case of a Member who is retired under the Disability provisions of the Plan, payment of benefits may be on a month to month or year to year basis, at the discretion of the Employer, until the Employee attains his Normal Retirement date when he shall be entitled to receive a Certificate issued by the Insurer and the payment of benefits shall no longer be subject to cancellation or suspension.

Proof of Age:

24. Before any pension benefit accruing to a Member under this Plan may be paid, proof of the age of the Member satisfactory to the Employer and to the Insurer must be supplied.

Amendment and Discontinuance:

25. The Employer reserves the right to amend or discontinue the Plan provided always:

- (a) that no such amendment or discontinuance shall entitle the Employer to recover any contribution whatever made by it into the Plan;
- (b) that no such amendment or discontinuance shall reduce the accumulated benefits which have accrued to the Members under the Plan by reason of their service to the Employer up to the date of such amendment or discontinuance and with respect to which the required contributions to the Fund have already been made.





The Board of Education for the
Township of Etobicoke

1st Reading

February 11th, 1960

2nd Reading

March 7th, 1960 .

3rd Reading

March 10th, 1960

MR. LEWIS

BILL Pr18

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Oshawa

MR. THOMAS

(PRIVATE BILL)

BILL Pr18

1960

An Act respecting the City of Oshawa

WHEREAS The Corporation of the City of Oshawa by Preamble its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Commission" means the Public Utilities Commission of the City of Oshawa;
- (b) "Corporation" means The Corporation of the City of Oshawa;
- (c) "Council" means the Council of the Corporation;
- (d) "system" means the public bus transportation system established under the authority of this Act.

2.—(1) The Corporation has power to establish, maintain, extend and operate a public bus transportation system within the City of Oshawa and, subject to the approval of the council of any municipality adjoining the City of Oshawa, within the limits of any such adjoining municipality.

Corporation
may
establish
public bus
system

(2) Without limiting the power conferred by subsection 1, the Corporation has power,

Further
powers

- (a) to acquire by purchase or otherwise the bus transportation facilities and equipment of the Oshawa Railway Company or any part or parts thereof;
- (b) to acquire, purchase or lease any real or personal property required for the establishment, operation, maintenance or extension of the system;

R.S.O. 1950,
cc. 167, 322

- (c) subject to the provisions of *The Highway Traffic Act* and *The Public Vehicles Act*, to transport and convey passengers throughout Ontario whether by chartered trips or otherwise;
- (d) to fix transportation fares and tolls and to make regulations with respect to the operation and control of the system;
- (e) to enter into an agreement with any adjoining municipality with respect to the terms upon which public bus transportation shall be furnished by the Corporation in such municipality; and
- (f) to issue debentures for the purpose of defraying the cost of establishing, maintaining or extending the system, and to agree from time to time with any chartered bank for temporary advances to meet the expenses of the system.

Bus system
may be
entrusted
to
Commission

3. The Council may, by by-law, entrust to the Commission the management, operation, maintenance, extension and control of the system and the Commission, while such by-law remains in force, has and may exercise all the powers, rights, authorities and privileges now conferred or hereafter conferred on the Corporation with respect thereto, subject, however, to the provisions of this Act.

Exclusive
rights

4. The rights conferred on the Corporation and the Commission by this Act to maintain and operate buses for the conveyance of passengers within the City of Oshawa are exclusive as against all other persons but do not affect any licence granted under *The Public Vehicles Act*.

Operation
of system
outside
Oshawa

5. The Commission shall not, without the consent of the Council expressed by by-law, operate a public bus transportation system outside the limits of the City of Oshawa.

Fare
and tolls

6. The Commission shall, so far as possible, regulate its fares and tolls so that the revenue therefrom will be sufficient, together with the application of an appropriate part of any fare stabilization reserve, to provide for the cost of establishing, operating and maintaining the system, making proper allowance for depreciation reserves, reserve for the purchase of additional equipment, the payment of debenture charges and all other proper charges.

Audit

7. The fiscal year of the Commission shall be the calendar year and the accounts of the Commission shall be audited at the expense of the Commission by the auditors of the Corpora-

tion, and the Commission shall, within one month of the receipt by it of such auditor's report, deliver to the Council a complete audited and certified financial report, including a balance sheet of assets and liabilities, and a statement of revenue and expenditures and showing the operating profit or loss for the preceding calendar year, and, if such statement shows an operating deficit, showing the amount of the net operating deficit after applying any profit from previous years' operations in reduction thereof.

8. The Commission shall, before the 15th day of February in each year or such later date as may be established by by-law of the Council, submit to the Council an estimate of any moneys required to pay any net operating deficit of the system during the preceding calendar year, and the Council shall include the same in its estimates for the year and levy therefor and shall pay over to the Commission the amount of any such net operating deficit as shown by the auditor's statement for such calendar year. Operating deficits

9.—(1) The Commission shall not undertake the purchase of equipment or any extension or improvement of the system, the cost or any part of the cost of which is to be or may be provided for by the Corporation, unless an estimate of the expenditure required is first submitted to the Council and such expenditure is approved by the Council. Costs of improvements that may be provided by Corporation

(2) The Council may approve of any such expenditure and cause the same to be raised by levy or by the issue and sale of debentures. Levy for such costs

(3) Subsection 1 does not apply to any expenditures for the maintenance or renewal of existing equipment, provided that such expenditures are properly chargeable to the operating expenses of the year in which they are made and provided also that such expenditures are not to be met by the issue and sale of debentures. Application to maintenance costs

10. The Commission shall provide for and pay over to the Corporation, but only out of the revenues of the system, such amounts as may be required to pay and retire principal and interest charges on any debentures issued by the Corporation with respect to the acquisition, extension or improvement of the system. Debenture payments out of revenues

11. It shall not be necessary to secure the assent of the electors, or any class thereof, to any by-law passed by the Council under this Act, including any by-law passed to authorize the issue of debentures for the purposes of the system. Assent of electors

Temporary
advances

12. The Commission may agree from time to time with any chartered bank for temporary advances to meet the expenses of the system.

Power of
Commission
to acquire
and hold
land

13. The Commission has power to acquire and hold land in its own name for the purposes of the system, and the power of the Corporation or the Commission to acquire land for its purposes shall be deemed to include power to acquire land for the purposes of the system.

Claims, etc.
against
Commission

14. The Commission may sue and be sued in its own name and all claims, actions and demands arising from or relating to the construction, repair, operation, management or control of the system and property used in connection therewith shall be made upon and brought against the Commission while any by-law passed under section 3 remains in force.

Commence-
ment

15. This Act shall be deemed to have come into force on the 1st day of December, 1959.

Short title

16. This Act may be cited as *The City of Oshawa Act, 1960.*

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. THOMAS

(*Private Bill*)

BILL Pr18

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the City of Oshawa

MR. THOMAS

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
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BILL Pr18

1960

An Act respecting the City of Oshawa

WHEREAS The Corporation of the City of Oshawa by Preamble
its petition has prayed for special legislation in respect
of the matters hereinafter set forth; and whereas it is expedient
to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
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1. In this Act,

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- (a) "Commission" means the Public Utilities Commis-
sion of the City of Oshawa;
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of Oshawa;
- (c) "Council" means the Council of the Corporation;
- (d) "system" means the public bus transportation
system established under the authority of this Act.

2.—(1) The Corporation has power to establish, maintain, Corporation
extend and operate a public bus transportation system within may
the City of Oshawa and, subject to the approval of the establish
council of any municipality adjoining the City of Oshawa, public bus
within the limits of any such adjoining municipality. system

(2) Without limiting the power conferred by subsection 1, Further
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- (a) to acquire by purchase or otherwise the bus trans-
portation facilities and equipment of the Oshawa
Railway Company or any part or parts thereof;
- (b) to acquire, purchase or lease any real or personal
property required for the establishment, operation,
maintenance or extension of the system;

R.S.O. 1950,
cc. 167, 322

- (c) subject to the provisions of *The Highway Traffic Act* and *The Public Vehicles Act*, to transport and convey passengers throughout Ontario whether by chartered trips or otherwise;
- (d) to fix transportation fares and tolls and to make regulations with respect to the operation and control of the system;
- (e) to enter into an agreement with any adjoining municipality with respect to the terms upon which public bus transportation shall be furnished by the Corporation in such municipality; and
- (f) to issue debentures for the purpose of defraying the cost of establishing, maintaining or extending the system, and to agree from time to time with any chartered bank for temporary advances to meet the expenses of the system.

Bus system
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3. The Council may, by by-law, entrust to the Commission the management, operation, maintenance, extension and control of the system and the Commission, while such by-law remains in force, has and may exercise all the powers, rights, authorities and privileges now conferred or hereafter conferred on the Corporation with respect thereto, subject, however, to the provisions of this Act.

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4. The rights conferred on the Corporation and the Commission by this Act to maintain and operate buses for the conveyance of passengers within the City of Oshawa are exclusive as against all other persons but do not affect any licence granted under *The Public Vehicles Act*.

Operation
of system
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5. The Commission shall not, without the consent of the Council expressed by by-law, operate a public bus transportation system outside the limits of the City of Oshawa.

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6. The Commission shall, so far as possible, fix such tolls and fares and establish such fare zones so that the revenue of the Commission shall be sufficient to make all transportation facilities under its control and management self-sustaining after providing for such maintenance, renewals, depreciation, debt charges and reserves as it may think proper.

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7. The fiscal year of the Commission shall be the calendar year and the accounts of the Commission shall be audited at the expense of the Commission by the auditors of the Corpora-

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9.—(1) The Commission shall not undertake the purchase of equipment or any extension or improvement of the system, the cost or any part of the cost of which is to be or may be provided for by the Corporation, unless an estimate of the expenditure required is first submitted to the Council and such expenditure is approved by the Council. ^{Costs of improvements that may be provided by Corporation}

(2) The Council may approve of any such expenditure and cause the same to be raised by levy or by the issue and sale of debentures. ^{Levy for such costs}

(3) Subsection 1 does not apply to any expenditures for the maintenance or renewal of existing equipment, provided that such expenditures are properly chargeable to the operating expenses of the year in which they are made and provided also that such expenditures are not to be met by the issue and sale of debentures. ^{Application to maintenance costs}

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(2) Without limiting the power conferred by subsection 1, the Corporation has power, ^{Further powers}

- (a) to acquire by purchase or otherwise the bus transportation facilities and equipment of the Oshawa Railway Company or any part or parts thereof;
- (b) to acquire, purchase or lease any real or personal property required for the establishment, operation, maintenance or extension of the system;

R.S.O. 1950,
cc. 167, 322

- (c) subject to the provisions of *The Highway Traffic Act* and *The Public Vehicles Act*, to transport and convey passengers throughout Ontario whether by chartered trips or otherwise;
- (d) to fix transportation fares and tolls and to make regulations with respect to the operation and control of the system;
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Bus system
may be
entrusted
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3. The Council may, by by-law, entrust to the Commission the management, operation, maintenance, extension and control of the system and the Commission, while such by-law remains in force, has and may exercise all the powers, rights, authorities and privileges now conferred or hereafter conferred on the Corporation with respect thereto, subject, however, to the provisions of this Act.

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4. The rights conferred on the Corporation and the Commission by this Act to maintain and operate buses for the conveyance of passengers within the City of Oshawa are exclusive as against all other persons but do not affect any licence granted under *The Public Vehicles Act*.

Operation
of system
outside
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5. The Commission shall not, without the consent of the Council expressed by by-law, operate a public bus transportation system outside the limits of the City of Oshawa.

Fares
and tolls

6. The Commission shall, so far as possible, fix such tolls and fares and establish such fare zones so that the revenue of the Commission shall be sufficient to make all transportation facilities under its control and management self-sustaining after providing for such maintenance, renewals, depreciation, debt charges and reserves as it may think proper.

Audit

7. The fiscal year of the Commission shall be the calendar year and the accounts of the Commission shall be audited at the expense of the Commission by the auditors of the Corpora-

tion, and the Commission shall, within one month of the receipt by it of such auditor's report, deliver to the Council a complete audited and certified financial report, including a balance sheet of assets and liabilities, and a statement of revenue and expenditures and showing the operating profit or loss for the preceding calendar year, and, if such statement shows an operating deficit, showing the amount of the net operating deficit after applying any profit from previous years' operations in reduction thereof.

8. The Commission shall, before the 15th day of February in each year or such later date as may be established by by-law of the Council, submit to the Council an estimate of any moneys required to pay any net operating deficit of the system during the preceding calendar year, and the Council shall include the same in its estimates for the year and levy therefor and shall pay over to the Commission the amount of any such net operating deficit as shown by the auditor's statement for such calendar year.

9.—(1) The Commission shall not undertake the purchase of equipment or any extension or improvement of the system, the cost or any part of the cost of which is to be or may be provided for by the Corporation, unless an estimate of the expenditure required is first submitted to the Council and such expenditure is approved by the Council.

(2) The Council may approve of any such expenditure and cause the same to be raised by levy or by the issue and sale of debentures.

(3) Subsection 1 does not apply to any expenditures for the maintenance or renewal of existing equipment, provided that such expenditures are properly chargeable to the operating expenses of the year in which they are made and provided also that such expenditures are not to be met by the issue and sale of debentures.

10. The Commission shall provide for and pay over to the Corporation, but only out of the revenues of the system, such amounts as may be required to pay and retire principal and interest charges on any debentures issued by the Corporation with respect to the acquisition, extension or improvement of the system.

11. It shall not be necessary to secure the assent of the electors, or any class thereof, to any by-law passed by the Council under this Act, including any by-law passed to authorize the issue of debentures for the purposes of the system.

Temporary
advances

12. The Commission may, with the approval of Council, agree from time to time with any chartered bank for temporary advances to meet the expenses of the system.

Power of
Commission
to acquire
and hold
land

13. The Commission has power to acquire and hold land in its own name for the purposes of the system, and the power of the Corporation or the Commission to acquire land for its purposes shall be deemed to include power to acquire land for the purposes of the system.

Claims, etc.
against
Commission

14. The Commission may sue and be sued in its own name and all claims, actions and demands arising from or relating to the construction, repair, operation, management or control of the system and property used in connection therewith shall be made upon and brought against the Commission while any by-law passed under section 3 remains in force.

Commence-
ment

15. This Act shall be deemed to have come into force on the 1st day of December, 1959.

Short title

16. This Act may be cited as *The City of Oshawa Act, 1960*.

City of Oshawa

1st Reading

February 11th, 1960

2nd Reading

February 26th, 1960

3rd Reading

March 3rd, 1960

MR. THOMAS

1960

BILL Pr19

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the City of Owen Sound

MR. COWLING

(PRIVATE BILL)

BILL Pr19

1960

An Act respecting the City of Owen Sound

WHEREAS The Corporation of the City of Owen Sound, Preamble
herein called the Corporation, by its petition has
prayed for special legislation in respect of the matters herein-
after set forth; and whereas it is expedient to grant the prayer
of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1.—(1) The lands in the City of Owen Sound, “being Lands
vested in
Corporation
free of trusts
composed of Lots Numbers Eleven and Twelve on the West
Side of Poulette Street”, heretofore given and granted “unto
The Mayor and Corporation of the Town of Owen Sound”
by Her late Majesty Queen Victoria by instrument dated the
16th day of April, 1858, upon certain trusts and conditions,
are hereby vested in the Corporation in fee simple, clear of
and free from all right, title and interest other than that of
the Corporation.

(2) The trusts and conditions created by such instrument Trusts
annulled
dated the 16th day of April, 1958, are hereby annulled.

(3) Without limiting anything heretofore contained, no sale Disposition
of lands
or other disposition by the Corporation of the lands referred
to in subsection 1, or any part thereof, shall be open to question
on the ground that the Corporation has reserved or has taken
back any present or future interest in such lands.

2. Where in an action or by the settlement of a claim Payment of
amounts
recovered in
actions to
employees
arising out of an accident to an employee the Corporation
recovers from a third person a larger amount, exclusive of
costs, than the amount paid to or on behalf of such employee
as a result of the accident, the surplus amount or any part
thereof may be paid to such employee or, in the event of his
death, to one or more of his dependants.

Commence-
ment

3.—(1) This Act, except section 2, comes into force on the day it receives Royal Assent.

Idem

(2) Section 2 shall be deemed to have come into force on the 1st day of January, 1959.

Short title

4. This Act may be cited as *The City of Owen Sound Act, 1960*.

the City of Owen Sound

1st Reading

2nd Reading

3rd Reading

MR. COWLING

(Private Bill)

BILL Pr19

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Owen Sound

MR. COWLING

(Reprinted as amended by the Committee on Private Bills)

3-
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41
P

BILL Pr19

1960

An Act respecting the City of Owen Sound

WHEREAS The Corporation of the City of Owen Sound, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The lands in the City of Owen Sound, "being ^{Lands} composed of Lots Numbers Eleven and Twelve on the West ^{vested in} Side of Poulette Street", heretofore given and granted "unto ^{Corporation} The Mayor and Corporation of the Town of Owen Sound" by Her late Majesty Queen Victoria by instrument dated the 16th day of April, 1858, upon certain trusts and conditions, are hereby vested in the Corporation in fee simple, clear of and free from all right, title and interest other than that of the Corporation. ^{free of trusts}

(2) The trusts and conditions created by such instrument ^{Trusts} dated the 16th day of April, 1858, are hereby annulled. ^{annulled}

2. Where in an action or by the settlement of a claim ^{Payment of} arising out of an accident to an employee the Corporation ^{amounts} recovers from a third person a larger amount, exclusive of ^{recovered in} costs, than the amount paid to or on behalf of such employee ^{actions to} as a result of the accident, the surplus amount or any part ^{employees} thereof may be paid to such employee or, in the event of his death, to one or more of his dependants.

3.—(1) This Act, except section 2, comes into force on the ^{Commence-} day it receives Royal Assent. ^{ment}

(2) Section 2 shall be deemed to have come into force on ^{Idem} the 1st day of January, 1959.

4. This Act may be cited as *The City of Owen Sound Act*, ^{Short title} 1960.

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. COWLING

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr19

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Owen Sound

MR. COWLING

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY



BILL Pr19

1960

An Act respecting the City of Owen Sound

WHEREAS The Corporation of the City of Owen Sound, ^{Preamble}
herein called the Corporation, by its petition has
prayed for special legislation in respect of the matters herein-
after set forth; and whereas it is expedient to grant the prayer
of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1.—(1) The lands in the City of Owen Sound, “being ^{Lands}
composed of Lots Numbers Eleven and Twelve on the West ^{vested in}
Side of Poulette Street”, heretofore given and granted “unto ^{Corporation}
The Mayor and Corporation of the Town of Owen Sound” ^{free of trusts}
by Her late Majesty Queen Victoria by instrument dated the
16th day of April, 1858, upon certain trusts and conditions,
are hereby vested in the Corporation in fee simple, clear of
and free from all right, title and interest other than that of
the Corporation.

(2) The trusts and conditions created by such instrument ^{Trusts}
dated the 16th day of April, 1858, are hereby annulled. ^{annulled}

2. Where in an action or by the settlement of a claim ^{Payment of}
arising out of an accident to an employee the Corporation ^{amounts}
recovers from a third person a larger amount, exclusive of ^{recovered in}
costs, than the amount paid to or on behalf of such employee ^{actions to}
as a result of the accident, the surplus amount or any part ^{employees}
thereof may be paid to such employee or, in the event of his
death, to one or more of his dependants.

3.—(1) This Act, except section 2, comes into force on the ^{Commence-}
day it receives Royal Assent. ^{ment}

(2) Section 2 shall be deemed to have come into force on ^{Idem}
the 1st day of January, 1959.

4. This Act may be cited as *The City of Owen Sound Act*, ^{Short title}
1960.

the City of Owen Sound

1st Reading

February 11th, 1960

2nd Reading

March 8th, 1960

3rd Reading

March 17th, 1960

MR. COWLING

1960

BILL Pr20

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting The Corporation of the Presbytery of Ottawa of The Presbyterian Church in Canada

MR. HASKETT

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr20

1960

**An Act respecting
The Corporation of the Presbytery of Ottawa
of The Presbyterian Church in Canada**

WHEREAS The Corporation of the Presbytery of Ottawa Preamble
of The Presbyterian Church in Canada Limited, herein
called the company, by its petition has represented that it
was incorporated by letters patent, dated the 20th day of
November, 1959, as a private company under and subject
to the provisions of subsection 2 of section 3 of *The Corpora-* 1953, c. 19
tions Act, 1953, and that the nature of the work to be under-
taken by it is charitable and not for purposes of private gain
or profit, namely, to undertake and assist in the work of Church
Extension of The Presbyterian Church in Canada within the
bounds of the Presbytery of Ottawa of the said Church, and
that, in order that it may effectually carry out its charitable
purposes, it is desirable that its powers be enlarged, that its
objects as set out in the letters patent be varied, that certain
restrictions be attached to the holding and transfer of shares
and the distribution of assets in the event of the winding-up
or dissolution of the company, and that it should not be
required to use the word "Limited" as part of its corporate
name but should be permitted to change its corporate name
to "The Corporation of the Presbytery of Ottawa of The
Presbyterian Church in Canada"; and whereas the petitioner
has prayed for special legislation in respect of the matters
hereinafter set forth; and whereas it is expedient to grant the
prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Notwithstanding the provisions of the letters patent of Company
powers
enlarged
and objects
varied and
holding of
shares
restricted
the company and of *The Corporations Act, 1953*,
 - (a) the number of shareholders of the company shall not
be limited;

- (b) the company shall not be prohibited from making invitation to the public to subscribe for its shares or securities;
- (c) the company shall not be restricted to issuing securities to its shareholders only or to borrowing money on the security of its property from its shareholders only;
- (d) the company shall not be required to use the word "Limited" as part of its corporate name, so that the name of the company shall be "The Corporation of the Presbytery of Ottawa of The Presbyterian Church in Canada";
- (e) the objects of the company shall be varied to include the following:
 - (i) to guarantee repayment of money loaned to congregations of The Presbyterian Church in Canada or the trustees thereof or other persons, groups, societies or corporations directly affiliated with and responsible to The Presbytery of Ottawa of The Presbyterian Church in Canada, or a congregation thereof, but shall not carry on the business of guarantee insurance,
 - (ii) to receive gifts and donations for the purposes of Church Extension within the bounds of the Presbytery;
- (f) no share of the capital stock of the company shall be held by, or in trust for, or be in any way under the control of, a person who is not a member of the Presbytery of Ottawa of The Presbyterian Church in Canada or a director of the company;
- (g) no person shall be entitled to hold more than one share of the capital stock of the company;
- (h) if any shareholder dies or becomes bankrupt or of unsound mind or ceases to be a member of the Presbytery, his share shall be transferred to such member of the Presbytery not then a registered holder of a share of the capital stock of the company as the directors of the company shall by resolution nominate, and, if the share is not so transferred within ten days after notice in writing by the directors to the registered holder thereof or to his personal repre-

sentatives, as the case may be, of such nomination, the directors shall appoint some person to transfer the share to the nominee at and for the consideration of \$1 to be paid to the registered holder or his personal representatives, as the case may be, and a transfer by such person shall be effective and the transferee shall be registered as the holder of the share and as against the former registered holder and all persons claiming through him shall be absolutely entitled to the same, and after such registration the regularity of the proceedings shall not be questioned:

- (i) no dividends or profits shall be paid in respect of any shares of the capital stock of the company or to the holders thereof and the net profits of the company shall be used solely for the purpose of undertaking and assisting in the work of Church Extension of The Presbyterian Church in Canada within the bounds of the Presbytery of Ottawa of the said Church;
- (j) if upon winding-up or dissolution of the company there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the shareholders but shall be given or transferred to The Trustee Board of The Presbyterian Church in Canada to be used for the purposes of the said Church.

2. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

3. This Act may be cited as *The Corporation of the Presby-* ^{Short title}
tery of Ottawa of The Presbyterian Church in Canada Act, 1960.

An Act respecting the Corporation
the Presbytery of Ottawa of
The Presbyterian Church in Canada

1st Reading

2nd Reading

3rd Reading

MR. HASKETT

(*Private Bill*)

BILL Pr20

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

Act respecting The Corporation of the Presbytery of Ottawa of The Presbyterian Church in Canada

MR. HASKETT

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr20

1960

**An Act respecting
The Corporation of the Presbytery of Ottawa
of The Presbyterian Church in Canada**

WHEREAS The Corporation of the Presbytery of Ottawa Preamble
of The Presbyterian Church in Canada Limited, herein
called the company, by its petition has represented that it
was incorporated by letters patent, dated the 20th day of
November, 1959, as a private company under and subject
to the provisions of subsection 2 of section 3 of *The Corpora-* 1953, c. 19
tions Act, 1953, and that the nature of the work to be under-
taken by it is charitable and not for purposes of private gain
or profit, namely, to undertake and assist in the work of Church
Extension of The Presbyterian Church in Canada within the
bounds of the Presbytery of Ottawa of the said Church, and
that, in order that it may effectually carry out its charitable
purposes, it is desirable that its powers be enlarged, that its
objects as set out in the letters patent be varied, that certain
restrictions be attached to the holding and transfer of shares
and the distribution of assets in the event of the winding-up
or dissolution of the company, and that it should not be
required to use the word "Limited" as part of its corporate
name but should be permitted to change its corporate name
to "The Corporation of the Presbytery of Ottawa of The
Presbyterian Church in Canada"; and whereas the petitioner
has prayed for special legislation in respect of the matters
hereinafter set forth; and whereas it is expedient to grant the
prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Notwithstanding the provisions of the letters patent of Company
powers
enlarged
and objects
varied and
holding of
shares
restricted
the company and of *The Corporations Act, 1953*,
 - (a) the number of shareholders of the company shall not
be limited;

- (b) the company shall not be prohibited from making invitation to the public to subscribe for its shares or securities;
- (c) the company shall not be restricted to issuing securities to its shareholders only or to borrowing money on the security of its property from its shareholders only;
- (d) the company shall not be required to use the word "Limited" as part of its corporate name, so that the name of the company shall be "The Corporation of the Presbytery of Ottawa of The Presbyterian Church in Canada";
- (e) the objects of the company shall be varied to include the following:
 - (i) to guarantee repayment of money loaned to congregations of The Presbyterian Church in Canada or the trustees thereof or other persons, groups, societies or corporations directly affiliated with and responsible to The Presbytery of Ottawa of The Presbyterian Church in Canada, or a congregation thereof, but shall not carry on the business of guarantee insurance,
 - (ii) to receive gifts and donations for the purposes of Church Extension within the bounds of the Presbytery;
- (f) no share of the capital stock of the company shall be held by, or in trust for, or be in any way under the control of, a person who is not a member of the Presbytery of Ottawa of The Presbyterian Church in Canada or a director of the company;
- (g) no person shall be entitled to hold more than one share of the capital stock of the company;
- (h) if any shareholder dies or becomes bankrupt or of unsound mind or ceases to be a member of the Presbytery, his share shall be transferred to such member of the Presbytery not then a registered holder of a share of the capital stock of the company as the directors of the company shall by resolution nominate, and, if the share is not so transferred within ten days after notice in writing by the directors to the registered holder thereof or to his personal repre-

sentatives, as the case may be, of such nomination, the directors shall appoint some person to transfer the share to the nominee at and for the consideration of \$1 to be paid to the registered holder or his personal representatives, as the case may be, and a transfer by such person shall be effective and the transferee shall be registered as the holder of the share and as against the former registered holder and all persons claiming through him shall be absolutely entitled to the same, and after such registration the regularity of the proceedings shall not be questioned:

- (i) no dividends or profits shall be paid in respect of any shares of the capital stock of the company or to the holders thereof and the net profits of the company shall be used solely for the purpose of undertaking and assisting in the work of Church Extension of The Presbyterian Church in Canada within the bounds of the Presbytery of Ottawa of the said Church;
- (j) if upon winding-up or dissolution of the company there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the shareholders but shall be given or transferred to The Trustee Board of The Presbyterian Church in Canada to be used for the purposes of the said Church.

2. This Act comes into force on the day it receives Royal ^{Commence-} Assent.^{ment}

3. This Act may be cited as *The Corporation of the Presby-* Short title
tery of Ottawa of The Presbyterian Church in Canada Act, 1960.

An Act respecting The Corporation of
the Presbytery of Ottawa of
The Presbyterian Church in Canada

1st Reading

February 11th, 1960

2nd Reading

February 22nd, 1960

3rd Reading

February 26th, 1960

MR. HASKETT

BILL Pr21

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the Municipality of Shuniah

MR. NODEN

(PRIVATE BILL)

**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY**

BILL Pr21

1960

An Act respecting the Municipality of Shuniah

WHEREAS The Corporation of the Municipality of ^{Preamble} Shuniah, in the District of Thunder Bay, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) *The Municipality of Shuniah Act, 1936* is amended <sup>1936, c. 83,
amended</sup> by adding thereto the following section:

3a. The said municipality shall continue to be and shall <sup>Name of
Shuniah</sup> be known as "The Municipality of Shuniah" and the inhabitants thereof are a body corporate under the name of "The Corporation of the Municipality of Shuniah".

(2) All resolutions and by-laws heretofore passed and enacted and all acts and things heretofore done by the said <sup>Use of
names
validated</sup> municipality which were within its powers, whether in the name "The Corporation of the Municipality of Shuniah" or "Corporation of the Municipality of Shuniah" or "The Municipality of Shuniah" or "Municipality of Shuniah", in so far as the use of the name of the municipality is concerned, are hereby validated, ratified and confirmed.

2. This Act comes into force on the day it receives Royal <sup>Commence-
ment</sup> Assent.

3. This Act may be cited as *The Municipality of Shuniah* ^{Short title} *Act, 1960*.

1st Reading

2nd Reading

3rd Reading

MR. NODEN

(Private Bill)

BILL Pr21

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Municipality of Shuniah

MR. NODEN

BILL Pr21

1960

An Act respecting the Municipality of Shuniah

WHEREAS The Corporation of the Municipality of Shuniah, in the District of Thunder Bay, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) *The Municipality of Shuniah Act, 1936* is amended <sup>1936, c. 83,
amended</sup> by adding thereto the following section:

3a. The said municipality shall continue to be and shall <sup>Name of
Shuniah</sup> be known as "The Municipality of Shuniah" and the inhabitants thereof are a body corporate under the name of "The Corporation of the Municipality of Shuniah".

(2) All resolutions and by-laws heretofore passed and enacted and all acts and things heretofore done by the said <sup>Use of
names
validated</sup> municipality which were within its powers, whether in the name "The Corporation of the Municipality of Shuniah" or "Corporation of the Municipality of Shuniah" or "The Municipality of Shuniah" or "Municipality of Shuniah", in so far as the use of the name of the municipality is concerned, are hereby validated, ratified and confirmed.

2. This Act comes into force on the day it receives Royal <sup>Commence-
ment</sup> Assent.

3. This Act may be cited as *The Municipality of Shuniah* ^{Short title} Act, 1960.

1st Reading

February 11th, 1960

2nd Reading

February 26th, 1960

3rd Reading

March 1st, 1960

MR. NODEN

BILL Pr22

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

**An Act respecting the
Central Canada Exhibition Association**

MR. HASKETT

(PRIVATE BILL)

**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY**

BILL Pr22

1960

An Act respecting the Central Canada Exhibition Association

WHEREAS the Central Canada Exhibition Association, ^{Preamble}
 incorporated by *An Act to incorporate the Central* ^{1888, c. 79}
Canada Exhibition Association (hereinafter called the Act of
 Incorporation), being chapter 79 of the Statutes of Ontario,
 1888, by its petition has prayed for special legislation in
 respect of the matters hereinafter set forth; and whereas it is
 expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. Section 2 of the Act of Incorporation is amended by ^{1888, c. 79,}
 striking out "provided always, and it is enacted, that the said ^{s. 2,} amended
 association shall at no time acquire or hold any lands or
 tenements, or interests therein, exceeding in the whole, at
 any one time, the annual value of \$10,000, nor otherwise
 than for actual use or occupation for the purposes of the said
 corporation" in the thirty-second to thirty-seventh lines, so
 that the section shall read as follows:

2. The said association is hereby authorized and em- ^{Exhibitions}
 powered, either permanently or periodically, in ^{authorized}
 structures, buildings, enclosures, and places located
 in the city of Ottawa or the townships of Nepean or
 Gloucester, suitable for exhibition purposes, and for
 the promotion of industries, arts, and sciences
 generally, to exhibit any and every variety of thing
 and being, found in animal and vegetable life, and
 every kind and variety of mineral; to exhibit pro-
 ducts, wares, goods, merchandise, machinery, me-
 chanical inventions, and improvements of every
 nature, name and kind, and such as are generally
 exhibited at fairs, including the various processes
 of manufacture; to exhibit paintings and statuary
 of any and every nature and kind; to exhibit and
 develop the points and qualities of the several

breeds of horses and other animals, by such competitive tests as may be humane and proper, and as may be deemed expedient, and to make such other exhibitions as will be in conformity with the purposes and objects of this Act; and the said association is hereby further authorized, but only for the carrying on and maintaining the business aforesaid and such other business as may be hereafter mentioned, to hold, own, and acquire, by lease, purchase, gift, or otherwise, property, real and personal, at such prices and on such terms and conditions as may be agreed upon, and may improve and use the same, by the construction of such buildings, houses, works, and improvements as are necessary, and as may be deemed proper; and the said association is hereby further authorized to cultivate such portions of their grounds as they may deem proper for the propagation of plants, trees, shrubs, or other things of a vegetable nature; and also to manufacture and raise articles and things required in the various exhibitions contemplated; and to sell, mortgage, lease, or otherwise dispose of any property at any time held by the said association.

1888, c. 79,
s. 4 (1950,
c. 94, s. 1),
re-enacted

2. Section 4 of the Act of Incorporation, as re-enacted by section 1 of *The Central Canada Exhibition Association Act, 1950*, is repealed and the following substituted therefor:

Membership

4.—(1) The membership of the said Association shall be divided into two classes as follows:

- (a) honorary membership;
- (b) ordinary membership.

Honorary
membership

(2) Honorary membership shall consist of those persons who may be appointed honorary members by by-law of the Board of Directors.

Ordinary
membership

(3) Ordinary membership shall be divided into three sections as follows:

- (a) City Council Section;
- (b) Merchants, Manufacturers and General Section;
- (c) Agricultural Section.

City
Council
Section

(4) The City Council Section shall consist of the Mayor, the members of the Board of Control and the members of the Council of the City of Ottawa.

(5) The Merchants, Manufacturers and General Section shall have two kinds of membership as follows: Merchants,
Manu-
facturers
and General
Section

(a) representative membership;

(b) paid membership.

(6) The representative membership of the Merchants, Manufacturers and General Section shall consist of: Representative
membership

(a) one member of each of the following bodies:

Board of Trade of the City of Ottawa
 Boy Scout Association
 Business and Professional Women's Association
 CBC—Ottawa Area
 CFRA Broadcasting Company Limited
 CKCH Hull Radio Broadcasting Company
 Limited
 CKOY Limited
 Canadian Club of Ottawa
 Canadian Legion, Branch 16, of Ottawa
 Canadian Legion, Montgomery Branch No. 351,
 of Ottawa
 Canadian Lumbermen's Association
 Canadian Manufacturers' Association
 Canadian Press Association (Ottawa Branch)
 City of Ottawa Public School Board
 Civil Service Federation of Canada
 Collegiate Institute Board of Ottawa
 Commercial Travellers Association of Canada
 Franchised Automobile Dealers Association of
 Ottawa, Inc.
 Gyro Club of Ottawa
 Journal Publishing Company of Ottawa, The
 Junior Board of Trade
 Kinsmen Club of Ottawa
 Kiwanis Club of Ottawa
 Kiwanis Club of South Ottawa, The
 La Chambre de Commerce de Ottawa
 Lions Club of Ottawa
 Local Council of Women
 National Capital Commission
 Optimist Club
 Ottawa and District Trades and Labour Associa-
 tion
 Ottawa Citizen, The
 Ottawa Council No. 643, United Commercial
 Travellers' Association of America
 Ottawa Property Owners Association, The

Ottawa Shrine Club, The
 Quota Club of Ottawa, The
 Richelieu Club
 Roman Catholic Separate School Board of Ottawa
 Rotary Club of Ottawa
 St. John Ambulance—Federal District
 Soroptimist Club of Ottawa, The
 Syndicat D'Oeuvres Sociales Ltd. (Le Droit)
 Victorian Order of Nurses (Ottawa Branch)
 Zonta Club

- (b) all past presidents of the Association who are not members of the Agricultural Section.

Change in
 membership
 by Directors

- (7) The membership under clause *a* of subsection 6 shall be subject to such changes or additions as may from time to time be decided upon by a majority vote of all the Directors.

Paid
 membership

- (8) The paid membership of the Merchants, Manufacturers and General Section shall consist of such persons, other than representative members of this Section, who may from time to time be admitted to membership of the Association on the vote of the Directors and on payment of the annual membership fee.

Agricultural
 Section

- (9) The Agricultural Section shall have two kinds of membership as follows:

- (a) representative membership,
 (b) paid membership.

Representative
 membership

- (10) The representative membership of the Agricultural Section shall consist of:

- (a) (i) The Assistant Deputy Minister (Research)
 The Assistant Deputy Minister (Production and Marketing)
 The Assistant Deputy Minister (Administration)
 The Veterinary Director General
 The Director General, Production and Marketing
 The Director, Dairy Products Division
 The Director, Fruit and Vegetable Division
 The Director, Livestock Division
 The Director, Plant Products Division
 The Director, Poultry Division
 The Director, Information Division

The Director, Genetics and Plant Breeding
Institute
The Director, Plant Research Institute
The Director, Animal Research Institute
The Director of Program, Animals
The Director of Program, Crops
The Head, Greenhouse and Ornamental Crops,
Plant Research Institute
The Chief, Engineering Research Service,
Research Branch

all from the Canada Department of Agriculture, and

- (ii) The Commissioner of Livestock Branch
The Director of Extension
The Principal, Kemptville Agricultural School

all from the Department of Agriculture of Ontario,
and

- (iii) The Director, Canadian National Livestock
Records
The Assistant Director, Canadian National
Livestock Records
The Secretary, Canadian Council on 4-H
Clubs
Warden of the County of Carleton, and
- (iv) Provincial Government Agricultural Repre-
sentative of each of the following counties:
Carleton, Renfrew, Lanark, Leeds, Grenville,
Dundas, Glengarry, Prescott, Russell, Fron-
tenac, Lennox and Addington, Stormont;
- (b) one representative from the Agricultural Societies of
each of the following towns and villages: Carp, Met-
calfe, Russell, Richmond, Almonte, Cumberland;
- (c) one representative from the Ontario Association of
Agricultural Societies;
- (d) one representative from each of the following
organizations:
 - Ayrshire Breeders' Association of Canada
 - Bee Keepers' Association of Carleton County, The
 - Canadian Aberdeen-Angus Association
 - Canadian-American Saddle Horse Association
 - Canadian Belgian Horse Association
 - Canadian Guernsey Breeders' Association

Canadian Hackney Horse Society
 Canadian Hereford Breeders' Association
 Canadian Horse Shows Association
 Canadian Jersey Cattle Club
 Canadian Kennel Club
 Canadian Percheron Association
 Canadian Pony Society
 Canadian Sheep Breeders' Association
 Canadian Shorthorn Association
 Canadian Standard Bred Horse Society
 Canadian Swine Breeders' Association
 Canadian Thoroughbred Horse Society
 Carleton and Russell Holstein Club
 Central Canada Veterinary Association
 Clydesdale Horse Association of Canada
 Eastern Ontario Poultry Association
 Eastern Ontario Yorkshire Association
 Greater Ottawa Poultry, Pigeon and Pet Stock
 Association
 Holstein-Friesian Association of Canada
 Ontario Cattle Breeders' Association
 Ontario Clydesdale Club
 Ontario Extension Committee, Holstein-Friesian
 Association of Canada
 Ontario Horse Breeders' Association
 Ontario Sheep Breeders' Association
 Ontario Swine Breeders' Association
 Ottawa Horticultural Society
 Ottawa Kennel Club
 Ottawa Valley Ayrshire Breeders' Club
 Ottawa Valley Hereford Breeders' Club
 Ottawa Valley Hunt
 Ottawa Valley Jersey Breeders' Association
 Ottawa Valley Light Horse Association
 Ottawa Valley Seed Growers' Association
 Ottawa Valley Sheep Breeders' Association
 Ottawa Valley Shorthorn Breeders' Club
 Ottawa Winter Fair
 Women's Institute of Eastern Ontario, The

- (e) all past presidents of the Association who, at the time of holding office, were members of the Agricultural Section.

Membership
subject to
change

- (11) The membership under clauses *a*, *b*, *c* and *d* of subsection 10 shall be subject to such changes or additions as may from time to time be decided upon by a majority vote of all the Directors.

Paid
membership

- (12) The paid membership of the Agricultural Section shall consist of such persons, other than representative members of

this Section, who may from time to time be admitted to membership of the Association on a vote of the Directors and on payment of the annual membership fee.

(13) Whenever it is provided in this section that a member of any body shall be a member of any of the Sections into which the Association is divided, such body, other than the City council or an educational board, shall name and appoint such member at the annual meeting thereof, and notice of such appointment, and of the name and address of the member appointed, signed by the president and secretary of such body, shall be delivered or mailed to the Association at its head office in the City of Ottawa not later than one month after the holding of such annual meeting. ^{Appointment of members}

(14) Every person appointed a representative member of the Association by any of the bodies named in subsections 6 and 10 shall continue to be a member until notice of the appointment of his successor is given as provided by subsection 13. ^{Term of appointment}

(15) In the event of any such body failing to appoint a representative in any year, and to give notice thereof as provided by subsection 13, the Board of Directors of the Association may by resolution suspend or cancel the representation of such body, and the decision of the said Board shall be final upon any question raised as to the regularity or sufficiency of the appointment or notice of appointment of any member. ^{Failure of body to appoint member}

(16) The Board of Directors of the Association may by by-law appoint honorary members of the Association who shall have all the privileges of ordinary members, except the privilege of holding office and the privilege of voting. ^{Honorary members}

(17) Prior to the annual meeting, the membership lists in the Merchants, Manufacturers and General Section and in the Agricultural Section shall be submitted to the Board of Directors for approval and the decision of the Board of Directors as to those entitled to vote in each Section shall be final. ^{Members entitled to vote}

3. Subsection 3 of section 9 of the Act of Incorporation, 1888, c. 79, as re-enacted by section 2 of *The Central Canada Exhibition Association Act*, 1950, is repealed and the following substituted therefor: ^{s. 9 (1950, c. 94, s. 2), subs. 3, re-enacted}

(3) The Directors shall immediately after such election elect from among the members of the Board a president and two vice-presidents. The president shall ^{Election of officers}

continue in office for one year and, subject to the By-laws of the Association, shall be eligible for re-election for one additional year. The vice-presidents shall be elected for one year, and, subject to the By-laws of the Association, shall be eligible for re-election for one or more additional years. If any vacancy at any time occurs by death, resignation or otherwise on the Board of Directors or in the office of president or vice-president, the remaining Directors shall fill such vacancy by the appointment of some member of the Association who shall hold office for the remainder of the term for which his predecessor in office was appointed.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Central Canada Exhibition Association Act, 1960*.

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. HASKETT

(*Private Bill*)

BILL Pr22

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

**An Act respecting the
Central Canada Exhibition Association**

MR. HASKETT

**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY**

BILL Pr22

1960

An Act respecting the Central Canada Exhibition Association

WHEREAS the Central Canada Exhibition Association, ^{Preamble} incorporated by *An Act to incorporate the Central* ^{1888, c. 79} *Canada Exhibition Association* (hereinafter called the Act of Incorporation), being chapter 79 of the Statutes of Ontario, 1888, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition:

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2 of the Act of Incorporation is amended by ^{1888, c. 79,} striking out "provided always, and it is enacted, that the said ^{s. 2,} association shall at no time acquire or hold any lands or ^{amended} tenements, or interests therein, exceeding in the whole, at any one time, the annual value of \$10,000, nor otherwise than for actual use or occupation for the purposes of the said corporation" in the thirty-second to thirty-seventh lines, so that the section shall read as follows:

2. The said association is hereby authorized and em- ^{Exhibitions} powered, either permanently or periodically, in ^{authorized} structures, buildings, enclosures, and places located in the city of Ottawa or the townships of Nepean or Gloucester, suitable for exhibition purposes, and for the promotion of industries, arts, and sciences generally, to exhibit any and every variety of thing and being, found in animal and vegetable life, and every kind and variety of mineral; to exhibit products, wares, goods, merchandise, machinery, mechanical inventions, and improvements of every nature, name and kind, and such as are generally exhibited at fairs, including the various processes of manufacture; to exhibit paintings and statuary of any and every nature and kind; to exhibit and develop the points and qualities of the several

breeds of horses and other animals, by such competitive tests as may be humane and proper, and as may be deemed expedient, and to make such other exhibitions as will be in conformity with the purposes and objects of this Act; and the said association is hereby further authorized, but only for the carrying on and maintaining the business aforesaid and such other business as may be hereafter mentioned, to hold, own, and acquire, by lease, purchase, gift, or otherwise, property, real and personal, at such prices and on such terms and conditions as may be agreed upon, and may improve and use the same, by the construction of such buildings, houses, works, and improvements as are necessary, and as may be deemed proper; and the said association is hereby further authorized to cultivate such portions of their grounds as they may deem proper for the propagation of plants, trees, shrubs, or other things of a vegetable nature; and also to manufacture and raise articles and things required in the various exhibitions contemplated; and to sell, mortgage, lease, or otherwise dispose of any property at any time held by the said association.

1888, c. 79,
s. 4 (1950,
c. 94, s. 1),
re-enacted

2. Section 4 of the Act of Incorporation, as re-enacted by section 1 of *The Central Canada Exhibition Association Act, 1950*, is repealed and the following substituted therefor:

Membership

4.—(1) The membership of the said Association shall be divided into two classes as follows:

(a) honorary membership;

(b) ordinary membership.

Honorary
membership

(2) Honorary membership shall consist of those persons who may be appointed honorary members by by-law of the Board of Directors.

Ordinary
membership

(3) Ordinary membership shall be divided into three sections as follows:

(a) City Council Section;

(b) Merchants, Manufacturers and General Section;

(c) Agricultural Section.

City
Council
Section

(4) The City Council Section shall consist of the Mayor, the members of the Board of Control and the members of the Council of the City of Ottawa.

(5) The Merchants, Manufacturers and General Section shall have two kinds of membership as follows: Merchants,
Manu-
facturers
and General
Section

(a) representative membership;

(b) paid membership.

(6) The representative membership of the Merchants, Manufacturers and General Section shall consist of: Representative
membership

(a) one member of each of the following bodies:

Board of Trade of the City of Ottawa
 Boy Scout Association
 Business and Professional Women's Association
 CBC—Ottawa Area
 CFRA Broadcasting Company Limited
 CKCH Hull Radio Broadcasting Company
 Limited
 CKOY Limited
 Canadian Club of Ottawa
 Canadian Legion, Branch 16, of Ottawa
 Canadian Legion, Montgomery Branch No. 351,
 of Ottawa
 Canadian Lumbermen's Association
 Canadian Manufacturers' Association
 Canadian Press Association (Ottawa Branch)
 City of Ottawa Public School Board
 Civil Service Federation of Canada
 Collegiate Institute Board of Ottawa
 Commercial Travellers Association of Canada
 Franchised Automobile Dealers Association of
 Ottawa, Inc.
 Gyro Club of Ottawa
 Journal Publishing Company of Ottawa, The
 Junior Board of Trade
 Kinsmen Club of Ottawa
 Kiwanis Club of Ottawa
 Kiwanis Club of South Ottawa, The
 La Chambre de Commerce de Ottawa
 Lions Club of Ottawa
 Local Council of Women
 National Capital Commission
 Optimist Club
 Ottawa and District Trades and Labour Associa-
 tion
 Ottawa Citizen, The
 Ottawa Council No. 643, United Commercial
 Travellers' Association of America
 Ottawa Property Owners Association, The

Ottawa Shrine Club, The
 Quota Club of Ottawa, The
 Richelieu Club
 Roman Catholic Separate School Board of Ottawa
 Rotary Club of Ottawa
 St. John Ambulance—Federal District
 Soroptimist Club of Ottawa, The
 Syndicat D'Oeuvres Sociales Ltd. (Le Droit)
 Victorian Order of Nurses (Ottawa Branch)
 Zonta Club

(b) all past presidents of the Association who are not members of the Agricultural Section.

Change in
 membership
 by Directors

(7) The membership under clause *a* of subsection 6 shall be subject to such changes or additions as may from time to time be decided upon by a majority vote of all the Directors.

Paid
 membership

(8) The paid membership of the Merchants, Manufacturers and General Section shall consist of such persons, other than representative members of this Section, who may from time to time be admitted to membership of the Association on the vote of the Directors and on payment of the annual membership fee.

Agricultural
 Section

(9) The Agricultural Section shall have two kinds of membership as follows:

(a) representative membership,

(b) paid membership.

Repre-
 sentative
 membership

(10) The representative membership of the Agricultural Section shall consist of:

- (a) (i) The Assistant Deputy Minister (Research)
 The Assistant Deputy Minister (Production and Marketing)
 The Assistant Deputy Minister (Administration)
 The Veterinary Director General
 The Director General, Production and Marketing
 The Director, Dairy Products Division
 The Director, Fruit and Vegetable Division
 The Director, Livestock Division
 The Director, Plant Products Division
 The Director, Poultry Division
 The Director, Information Division

The Director, Genetics and Plant Breeding
Institute
The Director, Plant Research Institute
The Director, Animal Research Institute
The Director of Program, Animals
The Director of Program, Crops
The Head, Greenhouse and Ornamental Crops,
Plant Research Institute
The Chief, Engineering Research Service,
Research Branch

all from the Canada Department of Agriculture, and

- (ii) The Commissioner of Livestock Branch
The Director of Extension
The Principal, Kemptville Agricultural School

all from the Department of Agriculture of Ontario,
and

- (iii) The Director, Canadian National Livestock
Records
The Assistant Director, Canadian National
Livestock Records
The Secretary, Canadian Council on 4-H
Clubs
Warden of the County of Carleton, and

- (iv) Provincial Government Agricultural Repre-
sentative of each of the following counties:
Carleton, Renfrew, Lanark, Leeds, Grenville,
Dundas, Glengarry, Prescott, Russell, Fron-
tenac, Lennox and Addington, Stormont;

- (b) one representative from the Agricultural Societies of
each of the following towns and villages: Carp, Met-
calfe, Russell, Richmond, Almonte, Cumberland;
- (c) one representative from the Ontario Association of
Agricultural Societies;
- (d) one representative from each of the following
organizations:

Ayrshire Breeders' Association of Canada
Bee Keepers' Association of Carleton County, The
Canadian Aberdeen-Angus Association
Canadian-American Saddle Horse Association
Canadian Belgian Horse Association
Canadian Guernsey Breeders' Association

Canadian Hackney Horse Society
 Canadian Hereford Breeders' Association
 Canadian Horse Shows Association
 Canadian Jersey Cattle Club
 Canadian Kennel Club
 Canadian Percheron Association
 Canadian Pony Society
 Canadian Sheep Breeders' Association
 Canadian Shorthorn Association
 Canadian Standard Bred Horse Society
 Canadian Swine Breeders' Association
 Canadian Thoroughbred Horse Society
 Carleton and Russell Holstein Club
 Central Canada Veterinary Association
 Clydesdale Horse Association of Canada
 Eastern Ontario Poultry Association
 Eastern Ontario Yorkshire Association
 Greater Ottawa Poultry, Pigeon and Pet Stock
 Association
 Holstein-Friesian Association of Canada
 Ontario Cattle Breeders' Association
 Ontario Clydesdale Club
 Ontario Extension Committee, Holstein-Friesian
 Association of Canada
 Ontario Horse Breeders' Association
 Ontario Sheep Breeders' Association
 Ontario Swine Breeders' Association
 Ottawa Horticultural Society
 Ottawa Kennel Club
 Ottawa Valley Ayrshire Breeders' Club
 Ottawa Valley Hereford Breeders' Club
 Ottawa Valley Hunt
 Ottawa Valley Jersey Breeders' Association
 Ottawa Valley Light Horse Association
 Ottawa Valley Seed Growers' Association
 Ottawa Valley Sheep Breeders' Association
 Ottawa Valley Shorthorn Breeders' Club
 Ottawa Winter Fair
 Women's Institute of Eastern Ontario, The

- (e) all past presidents of the Association who, at the time of holding office, were members of the Agricultural Section.

Membership
subject to
change

- (11) The membership under clauses *a*, *b*, *c* and *d* of sub-section 10 shall be subject to such changes or additions as may from time to time be decided upon by a majority vote of all the Directors.

Paid
membership

- (12) The paid membership of the Agricultural Section shall consist of such persons, other than representative members of

this Section, who may from time to time be admitted to membership of the Association on a vote of the Directors and on payment of the annual membership fee.

(13) Whenever it is provided in this section that a member of any body shall be a member of any of the Sections into which the Association is divided, such body, other than the City council or an educational board, shall name and appoint such member at the annual meeting thereof, and notice of such appointment, and of the name and address of the member appointed, signed by the president and secretary of such body, shall be delivered or mailed to the Association at its head office in the City of Ottawa not later than one month after the holding of such annual meeting. ^{Appointment of members}

(14) Every person appointed a representative member of the Association by any of the bodies named in subsections 6 and 10 shall continue to be a member until notice of the appointment of his successor is given as provided by subsection 13. ^{Term of appointment}

(15) In the event of any such body failing to appoint a representative in any year, and to give notice thereof as provided by subsection 13, the Board of Directors of the Association may by resolution suspend or cancel the representation of such body, and the decision of the said Board shall be final upon any question raised as to the regularity or sufficiency of the appointment or notice of appointment of any member. ^{Failure of body to appoint member}

(16) The Board of Directors of the Association may by by-law appoint honorary members of the Association who shall have all the privileges of ordinary members, except the privilege of holding office and the privilege of voting. ^{Honorary members}

(17) Prior to the annual meeting, the membership lists in the Merchants, Manufacturers and General Section and in the Agricultural Section shall be submitted to the Board of Directors for approval and the decision of the Board of Directors as to those entitled to vote in each Section shall be final. ^{Members entitled to vote}

3. Subsection 3 of section 9 of the Act of Incorporation, 1888, c. 79, as re-enacted by section 2 of *The Central Canada Exhibition Association Act, 1950*, is repealed and the following substituted therefor: ^{s. 9 (1950, c. 94, s. 2), subs. 3, re-enacted}

(3) The Directors shall immediately after such election elect from among the members of the Board a president and two vice-presidents. The president shall ^{Election of officers}

continue in office for one year and, subject to the By-laws of the Association, shall be eligible for re-election for one additional year. The vice-presidents shall be elected for one year, and, subject to the By-laws of the Association, shall be eligible for re-election for one or more additional years. If any vacancy at any time occurs by death, resignation or otherwise on the Board of Directors or in the office of president or vice-president, the remaining Directors shall fill such vacancy by the appointment of some member of the Association who shall hold office for the remainder of the term for which his predecessor in office was appointed.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Central Canada Exhibition Association Act, 1960*.

An Act respecting the
Central Canada Exhibition Association

1st Reading

February 11th, 1960

2nd Reading

February 22nd, 1960

3rd Reading

February 26th, 1960

MR. HASKETT

1960

BILL Pr23

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Township of Stamford

MR. BUKATOR

(PRIVATE BILL)

BILL Pr23

1960

An Act respecting the Township of Stamford

WHEREAS The Corporation of the Township of Stamford by its petition has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Notwithstanding subsection 1 of section 53 of *The Municipal Act* and notwithstanding any other general or special Act, the council of the Township of Stamford shall consist of a reeve, a deputy reeve and five councillors, and they shall all be elected by general vote. Composition
of council
R.S.O. 1950,
c. 243

(2) Subsection 1 applies to the council for the year 1961 and for all subsequent years. Effective
date

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Township of Stamford Act, 1960*. Short title

An Act respecting
the Township of Stamford

1st Reading

2nd Reading

3rd Reading

MR. BUKATOR

(*Private Bill*)

BILL Pr23

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Township of Stamford

MR. BUKATOR

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr23

1960

An Act respecting the Township of Stamford

WHEREAS The Corporation of the Township of Stamford Preamble by its petition has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Notwithstanding subsection 1 of section 53 of *The Composition of council* R.S.O. 1950, c. 243 *Municipal Act* and notwithstanding any other general or special Act, the council of the Township of Stamford shall consist of a reeve, a deputy reeve and five councillors, and they shall all be elected by general vote.

(2) Subsection 1 applies to the council for the year 1961 Effective date and for all subsequent years.

2. This Act comes into force on the day it receives Royal Commence-
Assent. ment

3. This Act may be cited as *The Township of Stamford* Short title
Act, 1960.

1st Reading

February 11th, 1960

2nd Reading

February 18th, 1960

3rd Reading

February 22nd, 1960

MR. BURKATOR

1960

BILL Pr24

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Kingston

MR. SIMONETT

(PRIVATE BILL)

BILL Pr24

1960

An Act respecting the City of Kingston

WHEREAS The Corporation of the City of Kingston ^{Preamble}
by its petition has prayed for special legislation in
respect of the establishment of a new pension plan; and
whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Notwithstanding the provisions of any special or general <sup>Pension
plan
authorized</sup>
Act, The Corporation of the City of Kingston is empowered,
 - (a) to enter into a pension plan in accordance with the
Retirement Pension Plan, set out as the Schedule
hereto, and to enter into contracts to amend such
plan from time to time; and
 - (b) to do all such acts, matters and things from time
to time as are necessary to fully implement such
plan.
2. This Act shall be deemed to have come into force on the <sup>Commence-
ment</sup>
1st day of January, 1960.
3. This Act may be cited as *The City of Kingston Act, 1960*. ^{Short title}

SCHEDULE

THE CORPORATION OF THE CITY OF KINGSTON RETIREMENT PENSION PLAN

ARTICLE I

DEFINITIONS

In this plan:

1. "Actuary" means a person who is a Fellow of a recognized Society of Actuaries or a company employing such a Fellow and appointed Actuary for this plan by the Committee.
2. "Age" means age of the employee at his last birthday.
3. "Committee" means the City of Kingston Retirement Pension Committee as constituted pursuant to Article IX hereof.
4. "Contributor" means an employee who is making contributions under this plan.
5. "Corporation" means The Corporation of the City of Kingston.
6. "Council" means the Council of The Corporation of the City of Kingston.
7. "Earnings" means the remuneration of an employee in respect of service rendered to the Corporation.
8. "Effective date" means the effective date of this plan which is January 1, 1960.
9. "Employee" means a person who is employed by the Corporation or by a local board which has adopted this plan, and "permanent employee" means an employee who is classified as permanent under By-law Number 4 of the revised by-laws of the Corporation, or as the same may be amended from time to time, or an employee of the Board of Police Commissioners of the Corporation who is not a probationary employee.
10. "Fire Department" means the Fire Department of the Corporation, and "Police Department" means the Police Department of the Board of Police Commissioners of the Corporation, and "Civic Department" means any other department of the Corporation or of a local board which has adopted this plan.
11. "Fund" or "Trust Fund" means the Trust Fund established by the Trustee for purposes of this plan.
12. "Insurer" means an Insurance Company licensed to do business in Canada or the Annuities Branch of the Department of Labour.
13. "Local board" means a local board of the Corporation as it may be from time to time defined by *The Municipal Act* of the Province of Ontario, and it shall include the Board of Trustees of the Kingston Community Memorial Health and Recreation Centre.
14. "Pensioner" means a former contributor who is receiving a pension under this plan.
15. "Plan" or "this plan" means this City of Kingston Retirement Pension Plan as amended from time to time.

16. "Retire" means to cease to be employed under conditions entitling the contributor to the immediate receipt of a pension hereunder, and "retirement date" means the date fixed by the Committee to be the date on which the contributor is deemed for purposes of this plan to have retired.
17. "Service" means service with the Corporation or a local board which has adopted this plan.
18. "Trustee" means the Trustee under the Trust Agreement entered into under this plan.
19. The masculine shall include the feminine, and the singular shall include the plural wherever appropriate.

ARTICLE II

APPLICATION OF THIS PLAN

1. This plan shall be applicable to the employees of the Corporation and of such of its local boards as may, with the approval of Council, adopt this plan, and it shall be applicable as of a date fixed by Council but not prior to January 1 in the year in which it is so adopted.

2. Each employee to whom this plan is applicable as of January 1, 1960, shall become a contributor hereunder as of January 1, 1960, if he was required as a condition of his employment to contribute to a Group Annuity Plan, and each such employee who was not so required to contribute to a Group Annuity Plan may become a contributor hereunder as of January 1, 1960, or as of the first day of any subsequent month while he is an employee to whom this plan is applicable.

3. Each person who becomes an employee to whom this plan is applicable after January 1, 1960, shall, as a condition of his employment, become a contributor when he is classified as a permanent employee, and any such person may, with the approval of Council, become a contributor on the first day of any month prior to becoming classified as a permanent employee.

4. Each employee on becoming a contributor hereunder may, by submitting written notice thereof to the Committee, designate a person as his beneficiary hereunder and he may in a like manner revoke a previous designation and substitute another person as his beneficiary.

5. Each employee who is not required to become a contributor hereunder shall become a contributor by submitting written notice thereof to the Committee.

6. Each employee who becomes a contributor hereunder shall continue to be a contributor so long as he is an employee to whom this plan is applicable.

ARTICLE III

CONTRIBUTIONS

1. There shall be deducted from each payment of a contributor's earnings an amount equal to 5% of the earnings for which the payment is made, and the amount so deducted shall be remitted to the Trustee within 30 days after it has been deducted. The amount so contributed is herein referred to as "a required contribution".

2. The Corporation shall contribute in each year an amount equal to the total of required contributions made hereunder by employees during the year, and remittance thereof to the Trustee shall be made when the corresponding required employee contributions are so remitted.

3. For the purpose of increasing his benefits hereunder, each contributor may, by submitting written notice thereof to the Committee, authorize the deduction of additional contributions from his earnings and the remittance of them to the Trustee within 30 days after they have been deducted. Payment of additional contributions by any employee shall not cause the Corporation to increase its contributions hereunder.

4. Contributions made by any contributor hereunder may not be pledged or assigned as security for a loan.

5. If a contributor, prior to his employment by the Corporation or by any local board which has adopted this plan, was a member of,

- (i) the Civil Service of Ontario or Canada,
- (ii) the Civic service of any other municipality or local board, or
- (iii) the staff of any board, commission or public institution established under any Act of the Legislature,

and a sum of money is transferred from the pension or superannuation plan or fund of his previous employer to the fund established for this plan, such sum of money shall be applied as an additional contribution by the contributor for whom it is transferred.

ARTICLE IV

ENTITLEMENT TO PENSION

1. Each contributor who retires on or after his 60th birthday shall be entitled to receive a pension commencing on the first day of the calendar month coincident with or following his retirement.

2. Each contributor who before his 60th birthday ceases to be an employee hereunder shall be entitled to receive a pension commencing on the first day of any calendar month, as determined by the contributor, coincident with or following his 60th birthday, if he is then living, provided that,

- (i) if the contributor has attained his 50th birthday and has completed 15 years of service, including service prior to becoming a contributor hereunder, he may with the consent of the Committee elect to receive a reduced pension commencing on the first day of any calendar month prior to his 60th birthday.

3. Each contributor who has made additional contributions hereunder shall be entitled to receive an additional pension, in respect of such contributions, commencing on the same day as the pension payable under paragraphs 1 or 2 of this Article IV.

4. Notwithstanding anything contained in this Article IV, a contributor shall not be entitled to receive a pension hereunder if he has received a refund of his contributions or if this plan is discontinued and the contributor receives a lump sum settlement.

5. A contributor shall become a pensioner hereunder on the day on which the first instalment of his pension has become payable.

ARTICLE V

AMOUNT OF PENSION

1. The annual amount of pension payable to a contributor who has become a pensioner hereunder shall be equal to a percentage of the aggregate earnings on which his required contributions hereunder have been

made, and the percentage shall be determined from the following table according to his age at commencement of his pension.

Age at Commencement of Pension	Percentage
65 years and over.....	2.0%
64 but under 65 years.....	1.9%
63 but under 64 years.....	1.8%
62 but under 63 years.....	1.7%
61 but under 62 years.....	1.6%
60 but under 61 years.....	1.5%

2. If a contributor's pension shall commence prior to his 60th birthday, the amount of such pension shall be the actuarial equivalent, as determined by the Committee on the advice of the Actuary, of the amount of pension accrued to date and otherwise commencing to be payable at age 60.

3. If a contributor shall have made additional contributions hereunder, the annual amount of additional pension arising therefrom shall be determined by the Committee on the advice of the Actuary.

4. The annual amount of pension to which a pensioner has become entitled hereunder shall be payable in equal monthly instalments beginning on the date fixed herein for commencement of such pension, and continuing at monthly intervals thereafter, terminating with the last instalment due immediately prior to the pensioner's death, provided that if at his death 60 monthly instalments have not been paid, the pension shall continue to be payable for the balance of 60 months subject to the pensioner having elected an optional form of pension as provided under paragraph 5 of this Article V.

5. Each pensioner who, more than 6 months prior to the commencement of his pension, has elected to receive,

- (i) a reduced monthly pension payable for his lifetime or for 10, 15 or 20 years, whichever is the longer period of time, or
- (ii) a reduced monthly pension payable during his lifetime and thereafter to and during the further lifetime, if any, of a person appointed by him as his joint pensioner, or
- (iii) an increased monthly pension payable during his lifetime, terminating at his death, or
- (iv) an increased monthly pension payable until his 70th birthday or his death, whichever first occurs, and if he is living on his 70th birthday, the increased amount will be reduced by the monthly amount of Old Age Pension in force at his retirement date,

the monthly amount of such pension shall be determined by the Committee on the advice of the Actuary. A contributor may make an election hereunder by filing written notice thereof with the Committee during the prescribed period, and he may in a like manner revoke an election already made by him. If the joint pensioner under option (ii) hereof dies before the contributor's pension has commenced, it shall be deemed that the option has been revoked.

6. If the monthly amount of pension payable under paragraphs 1, 2 and 3 hereof to a contributor who has become entitled to receive a pension hereunder is less than \$10.00, the Committee may, in lieu of such a pension, pay to the contributor an actuarially equivalent lump sum amount as determined by the Committee on the advice of the Actuary.

ARTICLE VI

PAYMENT OF PENSION

1. The instalments of pension payable hereunder shall be payable by cheque from the Trust Fund excepting that the right is reserved,

- (i) to the Committee in respect of the pension arising out of the required contributions made by the contributor and by the Corporation on his behalf, and
- (ii) to the contributor in respect of pension arising out of his additional contributions hereunder,

to effect settlement of such pension by the purchase of an annuity contract from an Insurer, and the annuity contract shall provide for payment of the amounts otherwise payable out of the Trust Fund.

2. Excepting to the extent of benefits payable to a joint pensioner hereunder, any sums payable out of the Trust Fund after the death of a pensioner shall be payable to his designated beneficiary hereunder, and if at the pensioner's death there is no living person designated as his beneficiary, such sums shall be payable to the legal representatives of the deceased pensioner.

3. Excepting as may be required by law, no attempt to assign or otherwise encumber the payment of pension hereunder shall have any force or effect under this plan.

4. The Committee shall, as a condition precedent to the commencement of a pension hereunder, demand and receive satisfactory evidence of the date of birth of the contributor and of his joint pensioner, if any.

5. Where a person entitled to receive a payment out of the Trust Fund is incapacitated or is under such disability as would render him incapable of dealing with the payment, the Committee, unless otherwise required by law, may cause the payment to be made on his behalf to a person or organization selected by the Committee for that purpose.

ARTICLE VII

REFUND OF CONTRIBUTIONS

1. If a contributor dies before a pension has become payable to him hereunder, his total required and additional contributions with interest shall be paid to his designated beneficiary hereunder, provided that if on his death there is no living person designated as his beneficiary the aforesaid amount shall be paid to the legal representatives of the deceased contributor.

2. A designated beneficiary who has become entitled to receive an amount under paragraph 1 of this Article VII may, by submitting written request therefor to the Committee, elect that in lieu thereof settlement shall be made by,

- (i) payment of the amount including interest as determined by the Committee on the advice of the Actuary in equal instalments over a 10-year period, or
- (ii) payment of the amount as the premium on an annuity contract on the life of the beneficiary.

3. If the service of a contributor is terminated prior to his 60th birthday, he may, by notice in writing to the Committee, elect,

- (i) that his contributions with interest be paid to him in a lump sum, or

- (ii) that his contributions and the contributions of the Corporation at his credit hereunder, plus interest, be transferred to the pension fund, if any, of his new employer if his new employer is,
 - A. the Government of Ontario or of Canada, or
 - B. any municipality or local board in Ontario, or
 - C. any board, commission or public institution established under any Act of the Legislature of Ontario.
- 4. The amount of interest to be included hereunder shall be determined by the Committee on the advice of the Actuary.
- 5. Payment of an amount as herein provided shall constitute full settlement of the rights of the contributor under this plan.

ARTICLE VIII

FUNDING

- 1. The Corporation shall enter into a Trust Agreement with a trust company incorporated under the laws of Canada or any Province thereof and registered under *The Loan and Trust Corporations Act*.
- 2. The Trust Agreement to be entered into shall, amongst other things, provide,
 - (i) that the right is reserved to the Corporation to remove the Trustee by giving 60 days' notice thereof and by substituting another company fulfilling the requisites of paragraph 1 hereof in its place,
 - (ii) that the Trustee may resign by giving 60 days' notice thereof in writing to the Corporation,
 - (iii) that the Trustee shall not invest the assets of the Trust Fund in bonds, debentures or other evidences of indebtedness issued or guaranteed by The Corporation of the City of Kingston except when invested in a pooled or commingled Trust Fund,
 - (iv) that the assets of the Trust shall be held for the benefit of this plan,
 - (v) that the expenses of the Trustee and Actuary shall be paid out of the Trust Fund.

ARTICLE IX

THE COMMITTEE

- 1. The City of Kingston Retirement Pension Committee shall consist of not less than seven members as follows:
 - (a) two officers of the Corporation, namely,
 - (i) the Treasurer,
 - (ii) the City Clerk,
 - (b) two representatives of the municipal electors, namely,
 - (i) the Mayor,
 - (ii) a member of Council appointed by it,
 - (c) a contributor elected by the contributors in the Fire Department,

(d) a contributor elected by the contributors in the Police Department,

(e) a contributor elected by the contributors in the Civic Departments,

and Council may appoint an officer of the Corporation as the eighth member.

2. An appointed or elected member of the Committee shall hold office for a period of two years or until he is no longer a member of the body by which he was appointed or elected, whichever first occurs.

3. The procedure for conducting the election of elective members of the Committee shall be determined by the Committee.

4. The Committee shall from amongst its members appoint a Chairman, a Vice Chairman and a Secretary.

5. The Treasurer of The Corporation of the City of Kingston shall be the executive officer of the Committee and he shall,

(i) keep such records as may be necessary to determine the benefits of contributors and pensioners,

(ii) remit all contributions to the Trustee,

(iii) take such action as may be necessary to effect payment of benefits authorized by the Committee,

(iv) prepare an annual report to the Committee and to Council on the operations of the plan during the year,

(v) consult with the Trustee on the investment of the assets of the Trust Fund.

6. Excepting such rights as have been reserved herein to the Corporation or to Council, the Committee shall be charged with the administration of this plan.

7. The Committee shall have an actuarial valuation of the Fund made from time to time but not less frequently than every three years.

8. A majority of the members of the Committee shall form a quorum.

ARTICLE X

MISCELLANEOUS

1. This plan may be amended from time to time with the approval of,

(i) the Committee,

(ii) the Council, and

(iii) the Minister of Municipal Affairs for Ontario,

provided that if at any time,

(a) the assets of the Trust Fund are inadequate to provide for payment of prospective benefits accrued hereunder in respect of contributions to date, as determined by the Actuary, the pensions becoming payable thereafter to contributors and former contributors who have not commenced to receive a pension hereunder shall be reduced to the extent required to eliminate the deficiency as determined by the Committee on the advice of the Actuary,

- (b) the assets of the Trust Fund together with the present value of the prospective contributions by and on behalf of the contributors at that time are in excess of the amount required to provide for the payment of the prospective benefits that have accrued in respect of contributions to date and shall accrue in respect of the aforesaid prospective contributions, as determined by the Actuary, the pensions of contributors and former contributors who have not commenced to receive a pension hereunder shall be increased to the extent permitted by the surplus as determined by the Committee on the advice of the Actuary,
- (c) it is agreed by Council and the duly authorized representative on the Committee elected by the Civic, Fire or Police Departments that the contributions to be paid by the contributors who are members of the Civic, Fire or Police Departments respectively, and by the Corporation on their behalf, shall be increased, the benefits otherwise payable to such members shall be increased to the extent permitted by the increased contributions as determined by the Committee on the advice of the Actuary subject to,

- A. the maximum required contribution payable by any contributor hereunder and by the Corporation on his behalf shall be 7% of his earnings,

- B. if the required contributions by members of the Civic, Fire or Police Departments and by the Corporation on their behalf are increased to 6% of the earnings of each contributor of a Department, the contributors of such a Department may elect that the pension payable to all contributors of such a Department who retire on or after their 60th birthday shall be at the same percentage rate as is applicable in paragraph 1 of Article V hereof in the calculating of pensions commencing on or after the contributor's 65th birthday.

2. The right is reserved to the Corporation to discontinue this plan at any time in which event the Trustee shall convert the assets of the Trust Fund into cash and, after payment of the expenses of winding up the Fund, the proceeds shall be applied for the purchase of annuity contracts from an Insurer to provide for payment of the future benefits that otherwise would be payable to or with respect to pensioners and contributors out of the Trust Fund, and if the proceeds are in excess of the amount required for that purpose the benefits of each such pensioner or contributor shall be increased in proportion to the surplus, and if the proceeds are not sufficient for that purpose, such proceeds shall be applied to provide for payment of accrued benefits in the following order or priority:

- (i) Pension to persons then receiving a pension.
- (ii) Pension and related death benefits arising out of employee contributions of contributors who have not commenced to receive a pension.
- (iii) Pension arising out of contributions made by the Corporation on behalf of contributors who have not commenced to receive a pension.

If a suitable contract cannot be arranged to provide for payment of the foregoing benefits of any person entitled to a benefit hereunder, the equity of such person in the plan may be paid in cash.

1st Reading

2nd Reading

3rd Reading

MR. SIMONETT

(*Private Bill*)

BILL Pr24

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the City of Kingston

MR. SIMONETT

(Reprinted as amended by the Committee on Private Bills)

BILL Pr24

1960

An Act respecting the City of Kingston

WHEREAS The Corporation of the City of Kingston Preamble
by its petition has prayed for special legislation in
respect of the establishment of a new pension plan; and
whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Notwithstanding the provisions of any special or general Pension
plan
Act, The Corporation of the City of Kingston is empowered, authorized

- (a) to enter into a pension plan in accordance with the Retirement Pension Plan, set out as the Schedule hereto, and, with the approval of the Minister of Municipal Affairs, to enter into contracts to amend such plan from time to time; and
- (b) to do all such acts, matters and things from time to time as are necessary to fully implement such plan.

2. This Act shall be deemed to have come into force on the Commence-
ment
1st day of January, 1960.

3. This Act may be cited as *The City of Kingston Act, 1960*. Short title

SCHEDULE

THE CORPORATION OF THE CITY OF KINGSTON RETIREMENT PENSION PLAN

ARTICLE I

DEFINITIONS

In this plan:

1. "Actuary" means a person who is a Fellow of a recognized Society of Actuaries or a company employing such a Fellow and appointed Actuary for this plan by the Committee.
2. "Age" means age of the employee at his last birthday.
3. "Committee" means the City of Kingston Retirement Pension Committee as constituted pursuant to Article IX hereof.
4. "Contributor" means an employee who is making contributions under this plan.
5. "Corporation" means The Corporation of the City of Kingston.
6. "Council" means the Council of The Corporation of the City of Kingston.
7. "Earnings" means the remuneration of an employee in respect of service rendered to the Corporation.
8. "Effective date" means the effective date of this plan which is January 1, 1960.
9. "Employee" means a person who is employed by the Corporation or by a local board which has adopted this plan, and "permanent employee" means an employee who is classified as permanent under By-law Number 4 of the revised by-laws of the Corporation, or as the same may be amended from time to time, or an employee of the Board of Police Commissioners of the Corporation who is not a probationary employee.
10. "Fire Department" means the Fire Department of the Corporation, and "Police Department" means the Police Department of the Board of Police Commissioners of the Corporation, and "Civic Department" means any other department of the Corporation or of a local board which has adopted this plan.
11. "Fund" or "Trust Fund" means the Trust Fund established by the Trustee for purposes of this plan.
12. "Insurer" means an Insurance Company licensed to do business in Canada or the Annuities Branch of the Department of Labour.
13. "Local board" means a local board of the Corporation as it may be from time to time defined by *The Municipal Act* of the Province of Ontario, and it shall include the Board of Trustees of the Kingston Community Memorial Health and Recreation Centre.
14. "Pensioner" means a former contributor who is receiving a pension under this plan.
15. "Plan" or "this plan" means this City of Kingston Retirement Pension Plan as amended from time to time.

16. "Retire" means to cease to be employed under conditions entitling the contributor to the immediate receipt of a pension hereunder, and "retirement date" means the date fixed by the Committee to be the date on which the contributor is deemed for purposes of this plan to have retired.
17. "Service" means service with the Corporation or a local board which has adopted this plan.
18. "Trustee" means the Trustee under the Trust Agreement entered into under this plan.
19. The masculine shall include the feminine, and the singular shall include the plural wherever appropriate.

ARTICLE II

APPLICATION OF THIS PLAN

1. This plan shall be applicable to the employees of the Corporation and of such of its local boards as may, with the approval of Council, adopt this plan, and it shall be applicable as of a date fixed by Council but not prior to January 1 in the year in which it is so adopted.

2. Each employee to whom this plan is applicable as of January 1, 1960, shall become a contributor hereunder as of January 1, 1960, if he was required as a condition of his employment to contribute to a Group Annuity Plan, and each such employee who was not so required to contribute to a Group Annuity Plan may become a contributor hereunder as of January 1, 1960, or as of the first day of any subsequent month while he is an employee to whom this plan is applicable.

3. Each person who becomes an employee to whom this plan is applicable after January 1, 1960, shall, as a condition of his employment, become a contributor when he is classified as a permanent employee, and any such person may, with the approval of Council, become a contributor on the first day of any month prior to becoming classified as a permanent employee.

4. Each employee on becoming a contributor hereunder may, by submitting written notice thereof to the Committee, designate a person as his beneficiary hereunder and he may in a like manner revoke a previous designation and substitute another person as his beneficiary.

5. Each employee who is not required to become a contributor hereunder shall become a contributor by submitting written notice thereof to the Committee.

6. Each employee who becomes a contributor hereunder shall continue to be a contributor so long as he is an employee to whom this plan is applicable.

ARTICLE III

CONTRIBUTIONS

1. There shall be deducted from each payment of a contributor's earnings an amount equal to 5% of the earnings for which the payment is made, and the amount so deducted shall be remitted to the Trustee within 30 days after it has been deducted. The amount so contributed is herein referred to as "a required contribution".

2. The Corporation shall contribute in each year an amount equal to the total of required contributions made hereunder by employees during the year, and remittance thereof to the Trustee shall be made when the corresponding required employee contributions are so remitted.

3. For the purpose of increasing his benefits hereunder, each contributor may, by submitting written notice thereof to the Committee, authorize the deduction of additional contributions from his earnings and the remittance of them to the Trustee within 30 days after they have been deducted. Payment of additional contributions by any employee shall not cause the Corporation to increase its contributions hereunder.

4. Contributions made by any contributor hereunder may not be pledged or assigned as security for a loan.

5. If a contributor, prior to his employment by the Corporation or by any local board which has adopted this plan, was a member of,

- (i) the Civil Service of Ontario or Canada,
- (ii) the Civic service of any other municipality or local board, or
- (iii) the staff of any board, commission or public institution established under any Act of the Legislature,

and a sum of money is transferred from the pension or superannuation plan or fund of his previous employer to the fund established for this plan, such sum of money shall be applied as an additional contribution by the contributor for whom it is transferred.

ARTICLE IV

ENTITLEMENT TO PENSION

1. Each contributor who retires on or after his 60th birthday shall be entitled to receive a pension commencing on the first day of the calendar month coincident with or following his retirement.

2. Each contributor who before his 60th birthday ceases to be an employee hereunder shall be entitled to receive a pension commencing on the first day of any calendar month, as determined by the contributor, coincident with or following his 60th birthday, if he is then living, provided that,

- (i) if the contributor has attained his 50th birthday and has completed 15 years of service, including service prior to becoming a contributor hereunder, he may with the consent of the Committee elect to receive a reduced pension commencing on the first day of any calendar month prior to his 60th birthday.

3. Each contributor who has made additional contributions hereunder shall be entitled to receive an additional pension, in respect of such contributions, commencing on the same day as the pension payable under paragraphs 1 or 2 of this Article IV.

4. Notwithstanding anything contained in this Article IV, a contributor shall not be entitled to receive a pension hereunder if he has received a refund of his contributions or if this plan is discontinued and the contributor receives a lump sum settlement.

5. A contributor shall become a pensioner hereunder on the day on which the first instalment of his pension has become payable.

ARTICLE V

AMOUNT OF PENSION

1. The annual amount of pension payable to a contributor who has become a pensioner hereunder shall be equal to a percentage of the aggregate earnings on which his required contributions hereunder have been

made, and the percentage shall be determined from the following table according to his age at commencement of his pension.

Age at Commencement of Pension	Percentage
65 years and over.....	2.0%
64 but under 65 years.....	1.9%
63 but under 64 years.....	1.8%
62 but under 63 years.....	1.7%
61 but under 62 years.....	1.6%
60 but under 61 years.....	1.5%

2. If a contributor's pension shall commence prior to his 60th birthday, the amount of such pension shall be the actuarial equivalent, as determined by the Committee on the advice of the Actuary, of the amount of pension accrued to date and otherwise commencing to be payable at age 60.

3. If a contributor shall have made additional contributions hereunder, the annual amount of additional pension arising therefrom shall be determined by the Committee on the advice of the Actuary.

4. The annual amount of pension to which a pensioner has become entitled hereunder shall be payable in equal monthly instalments beginning on the date fixed herein for commencement of such pension, and continuing at monthly intervals thereafter, terminating with the last instalment due immediately prior to the pensioner's death, provided that if at his death 60 monthly instalments have not been paid, the pension shall continue to be payable for the balance of 60 months subject to the pensioner having elected an optional form of pension as provided under paragraph 5 of this Article V.

5. Each pensioner who, more than 6 months prior to the commencement of his pension, has elected to receive,

- (i) a reduced monthly pension payable for his lifetime or for 10, 15 or 20 years, whichever is the longer period of time, or
- (ii) a reduced monthly pension payable during his lifetime and thereafter to and during the further lifetime, if any, of a person appointed by him as his joint pensioner, or
- (iii) an increased monthly pension payable during his lifetime, terminating at his death, or
- (iv) an increased monthly pension payable until his 70th birthday or his death, whichever first occurs, and if he is living on his 70th birthday, the increased amount will be reduced by the monthly amount of Old Age Pension in force at his retirement date,

the monthly amount of such pension shall be determined by the Committee on the advice of the Actuary. A contributor may make an election hereunder by filing written notice thereof with the Committee during the prescribed period, and he may in a like manner revoke an election already made by him. If the joint pensioner under option (ii) hereof dies before the contributor's pension has commenced, it shall be deemed that the option has been revoked.

6. If the monthly amount of pension payable under paragraphs 1, 2 and 3 hereof to a contributor who has become entitled to receive a pension hereunder is less than \$10.00, the Committee may, in lieu of such a pension, pay to the contributor an actuarially equivalent lump sum amount as determined by the Committee on the advice of the Actuary.

ARTICLE VI

PAYMENT OF PENSION

1. The instalments of pension payable hereunder shall be payable by cheque from the Trust Fund excepting that the right is reserved,

- (i) to the Committee in respect of the pension arising out of the required contributions made by the contributor and by the Corporation on his behalf, and
- (ii) to the contributor in respect of pension arising out of his additional contributions hereunder,

to effect settlement of such pension by the purchase of an annuity contract from an Insurer, and the annuity contract shall provide for payment of the amounts otherwise payable out of the Trust Fund.

2. Excepting to the extent of benefits payable to a joint pensioner hereunder, any sums payable out of the Trust Fund after the death of a pensioner shall be payable to his designated beneficiary hereunder, and if at the pensioner's death there is no living person designated as his beneficiary, such sums shall be payable to the legal representatives of the deceased pensioner.

3. Excepting as may be required by law, no attempt to assign or otherwise encumber the payment of pension hereunder shall have any force or effect under this plan.

4. The Committee shall, as a condition precedent to the commencement of a pension hereunder, demand and receive satisfactory evidence of the date of birth of the contributor and of his joint pensioner, if any.

5. Where a person entitled to receive a payment out of the Trust Fund is incapacitated or is under such disability as would render him incapable of dealing with the payment, the Committee, unless otherwise required by law, may cause the payment to be made on his behalf to a person or organization selected by the Committee for that purpose.

ARTICLE VII

REFUND OF CONTRIBUTIONS

1. If a contributor dies before a pension has become payable to him hereunder, his total required and additional contributions with interest shall be paid to his designated beneficiary hereunder, provided that if on his death there is no living person designated as his beneficiary the aforesaid amount shall be paid to the legal representatives of the deceased contributor.

2. A designated beneficiary who has become entitled to receive an amount under paragraph 1 of this Article VII may, by submitting written request therefor to the Committee, elect that in lieu thereof settlement shall be made by,

- (i) payment of the amount including interest as determined by the Committee on the advice of the Actuary in equal instalments over a 10-year period, or
- (ii) payment of the amount as the premium on an annuity contract on the life of the beneficiary.

3. If the service of a contributor is terminated prior to his 60th birthday, he may, by notice in writing to the Committee, elect,

- (i) that his contributions with interest be paid to him in a lump sum,
or

- (ii) that his contributions and the contributions of the Corporation at his credit hereunder, plus interest, be transferred to the pension fund, if any, of his new employer if his new employer is,
 - A. the Government of Ontario or of Canada, or
 - B. any municipality or local board in Ontario, or
 - C. any board, commission or public institution established under any Act of the Legislature of Ontario.
- 4. The amount of interest to be included hereunder shall be determined by the Committee on the advice of the Actuary.
- 5. Payment of an amount as herein provided shall constitute full settlement of the rights of the contributor under this plan.

ARTICLE VIII

FUNDING

- 1. The Corporation shall enter into a Trust Agreement with a trust company incorporated under the laws of Canada or any Province thereof and registered under *The Loan and Trust Corporations Act*.
- 2. The Trust Agreement to be entered into shall, amongst other things, provide,
 - (i) that the right is reserved to the Corporation to remove the Trustee by giving 60 days' notice thereof and by substituting another company fulfilling the requisites of paragraph 1 hereof in its place,
 - (ii) that the Trustee may resign by giving 60 days' notice thereof in writing to the Corporation,
 - (iii) that the Trustee shall not invest the assets of the Trust Fund in bonds, debentures or other evidences of indebtedness issued or guaranteed by The Corporation of the City of Kingston except when invested in a pooled or commingled Trust Fund,
 - (iv) that the assets of the Trust shall be held for the benefit of this plan,
 - (v) that the expenses of the Trustee and Actuary shall be paid out of the Trust Fund.

ARTICLE IX

THE COMMITTEE

- 1. The City of Kingston Retirement Pension Committee shall consist of not less than seven members as follows:
 - (a) two officers of the Corporation, namely,
 - (i) the Treasurer,
 - (ii) the City Clerk,
 - (b) two representatives of the municipal electors, namely,
 - (i) the Mayor,
 - (ii) a member of Council appointed by it,
 - (c) a contributor elected by the contributors in the Fire Department,

(d) a contributor elected by the contributors in the Police Department,

(e) a contributor elected by the contributors in the Civic Departments,

and Council may appoint an officer of the Corporation as the eighth member.

2. An appointed or elected member of the Committee shall hold office for a period of two years or until he is no longer a member of the body by which he was appointed or elected, whichever first occurs.

3. The procedure for conducting the election of elective members of the Committee shall be determined by the Committee.

4. The Committee shall from amongst its members appoint a Chairman, a Vice Chairman and a Secretary.

5. The Treasurer of The Corporation of the City of Kingston shall be the executive officer of the Committee and he shall,

(i) keep such records as may be necessary to determine the benefits of contributors and pensioners,

(ii) remit all contributions to the Trustee,

(iii) take such action as may be necessary to effect payment of benefits authorized by the Committee,

(iv) prepare an annual report to the Committee and to Council on the operations of the plan during the year,

(v) consult with the Trustee on the investment of the assets of the Trust Fund.

6. Excepting such rights as have been reserved herein to the Corporation or to Council, the Committee shall be charged with the administration of this plan.

7. The Committee shall have an actuarial valuation of the Fund made from time to time but not less frequently than every three years.

8. A majority of the members of the Committee shall form a quorum.

ARTICLE X

MISCELLANEOUS

1. This plan may be amended from time to time with the approval of,

(i) the Committee,

(ii) the Council, and

(iii) the Minister of Municipal Affairs for Ontario,

provided that if at any time,

(a) the assets of the Trust Fund are inadequate to provide for payment of prospective benefits accrued hereunder in respect of contributions to date, as determined by the Actuary, the pensions becoming payable thereafter to contributors and former contributors who have not commenced to receive a pension hereunder shall be reduced to the extent required to eliminate the deficiency as determined by the Committee on the advice of the Actuary,

- (b) the assets of the Trust Fund together with the present value of the prospective contributions by and on behalf of the contributors at that time are in excess of the amount required to provide for the payment of the prospective benefits that have accrued in respect of contributions to date and shall accrue in respect of the aforesaid prospective contributions, as determined by the Actuary, the pensions of contributors and former contributors who have not commenced to receive a pension hereunder shall be increased to the extent permitted by the surplus as determined by the Committee on the advice of the Actuary,
- (c) it is agreed by Council and the duly authorized representative on the Committee elected by the Civic, Fire or Police Departments that the contributions to be paid by the contributors who are members of the Civic, Fire or Police Departments respectively, and by the Corporation on their behalf, shall be increased, the benefits otherwise payable to such members shall be increased to the extent permitted by the increased contributions as determined by the Committee on the advice of the Actuary subject to,
 - A. the maximum required contribution payable by any contributor hereunder and by the Corporation on his behalf shall be 7% of his earnings,
 - B. if the required contributions by members of the Civic, Fire or Police Departments and by the Corporation on their behalf are increased to 6% of the earnings of each contributor of a Department, the contributors of such a Department may elect that the pension payable to all contributors of such a Department who retire on or after their 60th birthday shall be at the same percentage rate as is applicable in paragraph 1 of Article V hereof in the calculating of pensions commencing on or after the contributor's 65th birthday.

An Act respecting the City of Kingston

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. SIMONETT

(Reprinted as amended by the
Committee on Private Bills)

BILL Pr24

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Kingston

MR. SIMONETT

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr24

1960

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Therefore, Her Majesty, by and with the advice and consent
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1. Notwithstanding the provisions of any special or general Pension
plan
Act, The Corporation of the City of Kingston is empowered, authorized

(a) to enter into a pension plan in accordance with the
Retirement Pension Plan, set out as the Schedule
hereto, and, with the approval of the Minister of
Municipal Affairs, to enter into contracts to amend
such plan from time to time; and

(b) to do all such acts, matters and things from time
to time as are necessary to fully implement such
plan.

2. This Act shall be deemed to have come into force on the Commence-
ment
1st day of January, 1960.

3. This Act may be cited as *The City of Kingston Act, 1960*. Short title

SCHEDULE

THE CORPORATION OF THE CITY OF KINGSTON RETIREMENT PENSION PLAN

ARTICLE I

DEFINITIONS

In this plan:

1. "Actuary" means a person who is a Fellow of a recognized Society of Actuaries or a company employing such a Fellow and appointed Actuary for this plan by the Committee.
2. "Age" means age of the employee at his last birthday.
3. "Committee" means the City of Kingston Retirement Pension Committee as constituted pursuant to Article IX hereof.
4. "Contributor" means an employee who is making contributions under this plan.
5. "Corporation" means The Corporation of the City of Kingston.
6. "Council" means the Council of The Corporation of the City of Kingston.
7. "Earnings" means the remuneration of an employee in respect of service rendered to the Corporation.
8. "Effective date" means the effective date of this plan which is January 1, 1960.
9. "Employee" means a person who is employed by the Corporation or by a local board which has adopted this plan, and "permanent employee" means an employee who is classified as permanent under By-law Number 4 of the revised by-laws of the Corporation, or as the same may be amended from time to time, or an employee of the Board of Police Commissioners of the Corporation who is not a probationary employee.
10. "Fire Department" means the Fire Department of the Corporation, and "Police Department" means the Police Department of the Board of Police Commissioners of the Corporation, and "Civic Department" means any other department of the Corporation or of a local board which has adopted this plan.
11. "Fund" or "Trust Fund" means the Trust Fund established by the Trustee for purposes of this plan.
12. "Insurer" means an Insurance Company licensed to do business in Canada or the Annuities Branch of the Department of Labour.
13. "Local board" means a local board of the Corporation as it may be from time to time defined by *The Municipal Act* of the Province of Ontario, and it shall include the Board of Trustees of the Kingston Community Memorial Health and Recreation Centre.
14. "Pensioner" means a former contributor who is receiving a pension under this plan.
15. "Plan" or "this plan" means this City of Kingston Retirement Pension Plan as amended from time to time.

16. "Retire" means to cease to be employed under conditions entitling the contributor to the immediate receipt of a pension hereunder, and "retirement date" means the date fixed by the Committee to be the date on which the contributor is deemed for purposes of this plan to have retired.
17. "Service" means service with the Corporation or a local board which has adopted this plan.
18. "Trustee" means the Trustee under the Trust Agreement entered into under this plan.
19. The masculine shall include the feminine, and the singular shall include the plural wherever appropriate.

ARTICLE II

APPLICATION OF THIS PLAN

1. This plan shall be applicable to the employees of the Corporation and of such of its local boards as may, with the approval of Council, adopt this plan, and it shall be applicable as of a date fixed by Council but not prior to January 1 in the year in which it is so adopted.

2. Each employee to whom this plan is applicable as of January 1, 1960, shall become a contributor hereunder as of January 1, 1960, if he was required as a condition of his employment to contribute to a Group Annuity Plan, and each such employee who was not so required to contribute to a Group Annuity Plan may become a contributor hereunder as of January 1, 1960, or as of the first day of any subsequent month while he is an employee to whom this plan is applicable.

3. Each person who becomes an employee to whom this plan is applicable after January 1, 1960, shall, as a condition of his employment, become a contributor when he is classified as a permanent employee, and any such person may, with the approval of Council, become a contributor on the first day of any month prior to becoming classified as a permanent employee.

4. Each employee on becoming a contributor hereunder may, by submitting written notice thereof to the Committee, designate a person as his beneficiary hereunder and he may in a like manner revoke a previous designation and substitute another person as his beneficiary.

5. Each employee who is not required to become a contributor hereunder shall become a contributor by submitting written notice thereof to the Committee.

6. Each employee who becomes a contributor hereunder shall continue to be a contributor so long as he is an employee to whom this plan is applicable.

ARTICLE III

CONTRIBUTIONS

1. There shall be deducted from each payment of a contributor's earnings an amount equal to 5% of the earnings for which the payment is made, and the amount so deducted shall be remitted to the Trustee within 30 days after it has been deducted. The amount so contributed is herein referred to as "a required contribution".

2. The Corporation shall contribute in each year an amount equal to the total of required contributions made hereunder by employees during the year, and remittance thereof to the Trustee shall be made when the corresponding required employee contributions are so remitted.

3. For the purpose of increasing his benefits hereunder, each contributor may, by submitting written notice thereof to the Committee, authorize the deduction of additional contributions from his earnings and the remittance of them to the Trustee within 30 days after they have been deducted. Payment of additional contributions by any employee shall not cause the Corporation to increase its contributions hereunder.

4. Contributions made by any contributor hereunder may not be pledged or assigned as security for a loan.

5. If a contributor, prior to his employment by the Corporation or by any local board which has adopted this plan, was a member of,

- (i) the Civil Service of Ontario or Canada,
- (ii) the Civic service of any other municipality or local board, or
- (iii) the staff of any board, commission or public institution established under any Act of the Legislature,

and a sum of money is transferred from the pension or superannuation plan or fund of his previous employer to the fund established for this plan, such sum of money shall be applied as an additional contribution by the contributor for whom it is transferred.

ARTICLE IV

ENTITLEMENT TO PENSION

1. Each contributor who retires on or after his 60th birthday shall be entitled to receive a pension commencing on the first day of the calendar month coincident with or following his retirement.

2. Each contributor who before his 60th birthday ceases to be an employee hereunder shall be entitled to receive a pension commencing on the first day of any calendar month, as determined by the contributor, coincident with or following his 60th birthday, if he is then living, provided that,

- (i) if the contributor has attained his 50th birthday and has completed 15 years of service, including service prior to becoming a contributor hereunder, he may with the consent of the Committee elect to receive a reduced pension commencing on the first day of any calendar month prior to his 60th birthday.

3. Each contributor who has made additional contributions hereunder shall be entitled to receive an additional pension, in respect of such contributions, commencing on the same day as the pension payable under paragraphs 1 or 2 of this Article IV.

4. Notwithstanding anything contained in this Article IV, a contributor shall not be entitled to receive a pension hereunder if he has received a refund of his contributions or if this plan is discontinued and the contributor receives a lump sum settlement.

5. A contributor shall become a pensioner hereunder on the day on which the first instalment of his pension has become payable.

ARTICLE V

AMOUNT OF PENSION

1. The annual amount of pension payable to a contributor who has become a pensioner hereunder shall be equal to a percentage of the aggregate earnings on which his required contributions hereunder have been

made, and the percentage shall be determined from the following table according to his age at commencement of his pension.

Age at Commencement of Pension	Percentage
65 years and over.....	2.0%
64 but under 65 years.....	1.9%
63 but under 64 years.....	1.8%
62 but under 63 years.....	1.7%
61 but under 62 years.....	1.6%
60 but under 61 years.....	1.5%

2. If a contributor's pension shall commence prior to his 60th birthday, the amount of such pension shall be the actuarial equivalent, as determined by the Committee on the advice of the Actuary, of the amount of pension accrued to date and otherwise commencing to be payable at age 60.

3. If a contributor shall have made additional contributions hereunder, the annual amount of additional pension arising therefrom shall be determined by the Committee on the advice of the Actuary.

4. The annual amount of pension to which a pensioner has become entitled hereunder shall be payable in equal monthly instalments beginning on the date fixed herein for commencement of such pension, and continuing at monthly intervals thereafter, terminating with the last instalment due immediately prior to the pensioner's death, provided that if at his death 60 monthly instalments have not been paid, the pension shall continue to be payable for the balance of 60 months subject to the pensioner having elected an optional form of pension as provided under paragraph 5 of this Article V.

5. Each pensioner who, more than 6 months prior to the commencement of his pension, has elected to receive,

- (i) a reduced monthly pension payable for his lifetime or for 10, 15 or 20 years, whichever is the longer period of time, or
- (ii) a reduced monthly pension payable during his lifetime and thereafter to and during the further lifetime, if any, of a person appointed by him as his joint pensioner, or
- (iii) an increased monthly pension payable during his lifetime, terminating at his death, or
- (iv) an increased monthly pension payable until his 70th birthday or his death, whichever first occurs, and if he is living on his 70th birthday, the increased amount will be reduced by the monthly amount of Old Age Pension in force at his retirement date,

the monthly amount of such pension shall be determined by the Committee on the advice of the Actuary. A contributor may make an election hereunder by filing written notice thereof with the Committee during the prescribed period, and he may in a like manner revoke an election already made by him. If the joint pensioner under option (ii) hereof dies before the contributor's pension has commenced, it shall be deemed that the option has been revoked.

6. If the monthly amount of pension payable under paragraphs 1, 2 and 3 hereof to a contributor who has become entitled to receive a pension hereunder is less than \$10.00, the Committee may, in lieu of such a pension, pay to the contributor an actuarially equivalent lump sum amount as determined by the Committee on the advice of the Actuary.

ARTICLE VI

PAYMENT OF PENSION

1. The instalments of pension payable hereunder shall be payable by cheque from the Trust Fund excepting that the right is reserved,

- (i) to the Committee in respect of the pension arising out of the required contributions made by the contributor and by the Corporation on his behalf, and
- (ii) to the contributor in respect of pension arising out of his additional contributions hereunder,

to effect settlement of such pension by the purchase of an annuity contract from an Insurer, and the annuity contract shall provide for payment of the amounts otherwise payable out of the Trust Fund.

2. Excepting to the extent of benefits payable to a joint pensioner hereunder, any sums payable out of the Trust Fund after the death of a pensioner shall be payable to his designated beneficiary hereunder, and if at the pensioner's death there is no living person designated as his beneficiary, such sums shall be payable to the legal representatives of the deceased pensioner.

3. Excepting as may be required by law, no attempt to assign or otherwise encumber the payment of pension hereunder shall have any force or effect under this plan.

4. The Committee shall, as a condition precedent to the commencement of a pension hereunder, demand and receive satisfactory evidence of the date of birth of the contributor and of his joint pensioner, if any.

5. Where a person entitled to receive a payment out of the Trust Fund is incapacitated or is under such disability as would render him incapable of dealing with the payment, the Committee, unless otherwise required by law, may cause the payment to be made on his behalf to a person or organization selected by the Committee for that purpose.

ARTICLE VII

REFUND OF CONTRIBUTIONS

1. If a contributor dies before a pension has become payable to him hereunder, his total required and additional contributions with interest shall be paid to his designated beneficiary hereunder, provided that if on his death there is no living person designated as his beneficiary the aforesaid amount shall be paid to the legal representatives of the deceased contributor.

2. A designated beneficiary who has become entitled to receive an amount under paragraph 1 of this Article VII may, by submitting written request therefor to the Committee, elect that in lieu thereof settlement shall be made by,

- (i) payment of the amount including interest as determined by the Committee on the advice of the Actuary in equal instalments over a 10-year period, or
- (ii) payment of the amount as the premium on an annuity contract on the life of the beneficiary.

3. If the service of a contributor is terminated prior to his 60th birthday, he may, by notice in writing to the Committee, elect,

- (i) that his contributions with interest be paid to him in a lump sum, or

- (ii) that his contributions and the contributions of the Corporation at his credit hereunder, plus interest, be transferred to the pension fund, if any, of his new employer if his new employer is,

- A. the Government of Ontario or of Canada, or
- B. any municipality or local board in Ontario, or
- C. any board, commission or public institution established under any Act of the Legislature of Ontario.

4. The amount of interest to be included hereunder shall be determined by the Committee on the advice of the Actuary.

5. Payment of an amount as herein provided shall constitute full settlement of the rights of the contributor under this plan.

ARTICLE VIII

FUNDING

1. The Corporation shall enter into a Trust Agreement with a trust company incorporated under the laws of Canada or any Province thereof and registered under *The Loan and Trust Corporations Act*.

2. The Trust Agreement to be entered into shall, amongst other things, provide,

- (i) that the right is reserved to the Corporation to remove the Trustee by giving 60 days' notice thereof and by substituting another company fulfilling the requisites of paragraph 1 hereof in its place,
- (ii) that the Trustee may resign by giving 60 days' notice thereof in writing to the Corporation,
- (iii) that the Trustee shall not invest the assets of the Trust Fund in bonds, debentures or other evidences of indebtedness issued or guaranteed by The Corporation of the City of Kingston except when invested in a pooled or commingled Trust Fund,
- (iv) that the assets of the Trust shall be held for the benefit of this plan,
- (v) that the expenses of the Trustee and Actuary shall be paid out of the Trust Fund.

ARTICLE IX

THE COMMITTEE

1. The City of Kingston Retirement Pension Committee shall consist of not less than seven members as follows:

- (a) two officers of the Corporation, namely,
 - (i) the Treasurer,
 - (ii) the City Clerk,
- (b) two representatives of the municipal electors, namely,
 - (i) the Mayor,
 - (ii) a member of Council appointed by it,
- (c) a contributor elected by the contributors in the Fire Department,

(d) a contributor elected by the contributors in the Police Department,

(e) a contributor elected by the contributors in the Civic Departments,

and Council may appoint an officer of the Corporation as the eighth member.

2. An appointed or elected member of the Committee shall hold office for a period of two years or until he is no longer a member of the body by which he was appointed or elected, whichever first occurs.

3. The procedure for conducting the election of elective members of the Committee shall be determined by the Committee.

4. The Committee shall from amongst its members appoint a Chairman, a Vice Chairman and a Secretary.

5. The Treasurer of The Corporation of the City of Kingston shall be the executive officer of the Committee and he shall,

(i) keep such records as may be necessary to determine the benefits of contributors and pensioners,

(ii) remit all contributions to the Trustee,

(iii) take such action as may be necessary to effect payment of benefits authorized by the Committee,

(iv) prepare an annual report to the Committee and to Council on the operations of the plan during the year,

(v) consult with the Trustee on the investment of the assets of the Trust Fund.

6. Excepting such rights as have been reserved herein to the Corporation or to Council, the Committee shall be charged with the administration of this plan.

7. The Committee shall have an actuarial valuation of the Fund made from time to time but not less frequently than every three years.

8. A majority of the members of the Committee shall form a quorum.

ARTICLE X

MISCELLANEOUS

1. This plan may be amended from time to time with the approval of,

(i) the Committee,

(ii) the Council, and

(iii) the Minister of Municipal Affairs for Ontario,

provided that if at any time,

(a) the assets of the Trust Fund are inadequate to provide for payment of prospective benefits accrued hereunder in respect of contributions to date, as determined by the Actuary, the pensions becoming payable thereafter to contributors and former contributors who have not commenced to receive a pension hereunder shall be reduced to the extent required to eliminate the deficiency as determined by the Committee on the advice of the Actuary,

- (b) the assets of the Trust Fund together with the present value of the prospective contributions by and on behalf of the contributors at that time are in excess of the amount required to provide for the payment of the prospective benefits that have accrued in respect of contributions to date and shall accrue in respect of the aforesaid prospective contributions, as determined by the Actuary, the pensions of contributors and former contributors who have not commenced to receive a pension hereunder shall be increased to the extent permitted by the surplus as determined by the Committee on the advice of the Actuary,
- (c) it is agreed by Council and the duly authorized representative on the Committee elected by the Civic, Fire or Police Departments that the contributions to be paid by the contributors who are members of the Civic, Fire or Police Departments respectively, and by the Corporation on their behalf, shall be increased, the benefits otherwise payable to such members shall be increased to the extent permitted by the increased contributions as determined by the Committee on the advice of the Actuary subject to,
 - A. the maximum required contribution payable by any contributor hereunder and by the Corporation on his behalf shall be 7% of his earnings,
 - B. if the required contributions by members of the Civic, Fire or Police Departments and by the Corporation on their behalf are increased to 6% of the earnings of each contributor of a Department, the contributors of such a Department may elect that the pension payable to all contributors of such a Department who retire on or after their 60th birthday shall be at the same percentage rate as is applicable in paragraph 1 of Article V hereof in the calculating of pensions commencing on or after the contributor's 65th birthday.

1st Reading

February 11th, 1960

2nd Reading

March 7th, 1960

3rd Reading

March 10th, 1960

MR. SIMONETT

BILL Pr25

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of London

MR. WHITE

(PRIVATE BILL)

**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY**

BILL Pr25

1960

An Act respecting the City of London

WHEREAS The Corporation of the City of London, Preamble
 herein called the Corporation, by its petition has prayed
 for special legislation in respect of the matters hereinafter
 set forth; and whereas it is expedient to grant the prayer of
 the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1.—(1) The Gore Cemetery, conveyed in 1849 by deed Cemetery
vested
in City
 registered in the Registry Office for the East and North
 Ridings of the County of Middlesex as No. 269 for the Town-
 ship of London, made to trustees now deceased, is vested in
 the Corporation.

(2) The Corporation is authorized and empowered to close Closing
authorized
 the Gore Cemetery and to forbid further burials therein.

(3) The Corporation is authorized and empowered, at its Cairns
authorized
 expense, to remove the tombstones and to assemble them in
 a cairn or cairns for their preservation, to fence Gore Cemetery
 and to preserve and care for the same as a closed burial
 ground.

2.—(1) The Corporation is authorized and empowered to Gratuities
and
retirement
allowances
 pass by-laws amending its system of gratuities and retire-
 ment allowances for its employees as therein defined, providing
 in addition thereto,

- (a) for a yearly allowance to its employees who retired
 prior to the 1st day of January, 1955, of a sum
 being the greater of $1\frac{1}{2}$ per cent of the salary in the
 last full year of employment preceding retirement
 or \$48, multiplied by the number of years' service
 with the Corporation prior to the 1st day of January,
 1948;

- (b) for a yearly allowance to its employees who have retired between the 1st day of January, 1955, and the 1st day of January, 1960, of a sum being the greater of $1\frac{1}{2}$ per cent of the average annual salary received during such period or \$48, multiplied by the number of years' service with the Corporation prior to the 1st day of January, 1948;
- (c) for a yearly allowance to its employees who retire after the 1st day of January, 1960, of a sum being the greater of $1\frac{1}{2}$ per cent of the average annual salary during the last five years of employment or \$48, multiplied by the number of years' service with the Corporation prior to the 1st day of January, 1948;
- (d) that an employee with a total of not less than ten years' service with the Corporation shall have on retirement a minimum annual past and future service pension of \$600;
- (e) that nothing herein shall limit the amount of future service pension purchased with standard joint contributions or extra contributions by an employee;
- (f) that past service pension shall be limited so that the combined past and future service pension purchased with standard joint contributions on a five-year guaranteed basis shall not exceed \$2,500;

provided that, in such calculation for past service pension for firemen, no credit shall be given for employment for the years 1913 to 1932, both inclusive, and, in the calculation of the minimum annual past and future service pension payable, there shall be included an amount equivalent to the annuity that the lump sum payment which included interest received by such firemen for such years would have purchased from the Government of Canada on a 4 per cent basis guaranteed term five years, and provided that, in such calculation for past service pension for policemen, no credit shall be given for employment for the years 1928 to 1932, both inclusive, and, in the calculation of the minimum annual past and future service pension payable, there shall be included an amount equivalent to the annuity that the lump sum payment which included interest received by such policemen for such years would have purchased from the Government of Canada on a 4 per cent basis guaranteed term five years.

Pension
not to be
reduced

(2) No pension presently being paid shall be reduced in amount.

(3) The Corporation shall provide from current revenue in each of the years 1960 to 1969, both inclusive, the sum of \$90,000, which sum shall be credited to the reserve for past service pensions account from which the past service pensions shall be paid, and thereafter such sums shall be provided from the current revenue as may be required to pay such pensions.

(4) In the event that any employee shall have been reclassified downward during the last five years of his employment as the result of injury, illness or other cause beyond such employee's control, the council of the Corporation is authorized and empowered to make an adjustment within the maximum limits aforesaid.

(5) The Corporation may provide that the effective date of the foregoing shall be the 1st day of January, 1960.

3. The Corporation is authorized and empowered, and is declared to have been authorized and empowered, for the purposes of any by-law passed or to be passed for the purposes now provided in section 27a of *The Planning Act, 1955* to regulate floor areas, room areas and ceiling heights in buildings or structures to be erected within the municipality or within any defined area or areas thereof.

4.—(1) The Corporation is authorized and empowered to pass by-laws adopting by reference, in whole or in part or with such changes or alterations as the council of the Corporation deems expedient, The National Building Code of Canada, any code or standards adopted, made or sponsored by Canadian Standards Association, the Canadian Government Specifications Board, The American Society for Testing Materials or any other such body, and approved by The National Research Council (Canada), and for requiring compliance with any such codes and standards.

(2) Any by-law passed pursuant to this section may require the production of plans of buildings or structures and may provide for charging fees for the inspection and approval of such plans, for fixing the amount of such fees and for issuing a permit certifying such approval, without which permit no building or structure may be erected, altered or repaired, and for authorizing the refusal of a permit for any building or structure, the plans of which do not comply with the provisions of any such by-law, code or standard.

5. The Corporation is authorized and empowered to enter into a lease or leases upon such terms and conditions as the council of the Corporation may deem expedient, and for such

term of years not exceeding twenty, of lands of the Corporation, including the City of London airport or any portion thereof, and to approve of the subletting thereof by any lessee.

By-laws re
keeping
dogs upon
leash

6. The Corporation is authorized and empowered to pass by-laws to provide that dogs within the City of London, when not confined to dwellings or property of their owners or of persons having the care or custody of the dogs, shall at all times be restrained upon leash in charge of some person, and to impose penalties for the infraction thereof.

Licensing
keeping of
kennels

7. The Corporation is authorized and empowered to pass by-laws licensing, regulating or prohibiting the keeping of kennels for the breeding or boarding of cats or dogs within the municipality, or defined areas thereof, and for imposing penalties for the infraction thereof.

1931, c. 107,
s. 10,
amended

8. Section 10 of *The City of London Act, 1931* is amended by striking out "and" where it occurs the second time in the third line and inserting in lieu thereof "or", so that the section shall read as follows:

Butchers,
licences

10. The said corporation may, from time to time, pass by-laws for licensing, regulating and governing butchers, dealers and other persons who sell meat wholesale or retail, and may fix the sum to be paid for the licence and the time for which it shall be in force, and may provide for enforcing payment of the licence fee.

Regulation
of buildings
on certain
streets
in City

9. The Corporation is authorized and empowered to pass by-laws regulating the cost, type of construction, height, bulk, location, size, floor area, room area, ceiling heights, spacing, external design, character and use of buildings or structures to be constructed, altered or repaired and that are or may be situated upon lands on the east side of Wellington Street lying between Dufferin Avenue and Central Avenue, on the north side of Central Avenue lying between Wellington Street and Richmond Street, on the west side of Clarence Street lying between Central Avenue and Dufferin Avenue and on the south side of Dufferin Avenue lying between Clarence Street and Wellington Street, and for providing for the appointment of a commission to whom all plans for such construction, alteration or repair shall be submitted for approval, and without such approval no building may be constructed, altered or repaired.

10. Subsection 1 of section 5 of *The City of London Act*, 1959, c. 120, s. 5, subs. 1, re-enacted 1959 is repealed and the following substituted therefor:

- (1) The Corporation is authorized and empowered to Regulation of nursing homes pass by-laws regulating, licensing and governing nursing homes and for revoking licences therefor and for imposing penalties for the infraction thereof.

11. Section 9 of *An Act respecting the General Hospital of the City of London*, being chapter 58 of the Statutes of Ontario, 1887, c. 58, s. 9, re-enacted 1887, is repealed and the following substituted therefor:

- 9.—(1) Save as to the Victoria Hospital Endowment Fund and War Memorial Children's Hospital Endowment Fund, the Board shall appoint a treasurer of the Board in respect of the affairs of such hospitals. Treasurer

- (2) The auditors of the City of London shall be the Auditors auditors of the Board and shall be so appointed by the Board.

12. Notwithstanding *The Municipal Act*, the Corporation is authorized and empowered to submit to the electors at a time other than the day fixed for taking the poll at the annual municipal elections any question or questions regarding the sale, leasing or other disposition of the undertaking of The London & Port Stanley Railway or any part thereof. Question of sale of London & Port Stanley Railway to vote of electors R.S.O. 1950, c. 243

13. The Corporation and The Board of Hospital Trustees of the City of London are authorized and empowered, subject to the approval of the Department of Municipal Affairs, to suspend as of the 1st day of January, 1960, or such later date as may be expedient, contributions from the Board and its employees to the pension plan of the Corporation, and to provide for pensions for the employees of the Board, or any of them, with the Pension Committee of the Hospitals of Ontario Pension Plan, and, if expedient, to transfer thereto such interest as the Board, or its employees, may have in the pension plan of the Corporation, and thereafter the employees' rights shall be determined under the provisions of The Hospitals of Ontario Pension Plan, which shall be accepted by and be binding on such employees. Pensions of employees of Board of Hospital Trustees of London

14. The agreement between the Corporation, The London Railway Commission and Mount Royal Rice Mills, bearing date the 1st day of January, 1959, set forth as the Schedule hereto, is ratified and confirmed and the parties thereto are authorized and empowered to carry out the terms thereof. Agreement confirmed

15. This Act comes into force on the day it receives Royal Assent. Commencement

16. This Act may be cited as *The City of London Act, 1960*. Short title

SCHEDULE

THIS AGREEMENT made (in triplicate) the First day of January, in the year of Our Lord one thousand nine hundred and fifty-nine.

BETWEEN:

MOUNT ROYAL RICE MILLS LIMITED, a corporation
existing under the laws of the Government of Canada
(hereinafter called the Purchaser),

OF THE FIRST PART,

—and—

THE CORPORATION OF THE CITY OF LONDON
(hereinafter called the Vendor),

OF THE SECOND PART,

—and—

THE LONDON RAILWAY COMMISSION
(hereinafter called the Commission),

OF THE THIRD PART.

WHEREAS the Vendor is the owner of lands and premises described as follows:

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the Village of Port Stanley in the County of Elgin and being composed of part of Lot 18 lying south of the Lake Road and east of the London and Port Stanley Railway right of way, parts of Lots 15 and 16 lying north of the Lake Road and east of the London and Port Stanley Railway right of way, part of the Lake Road lying east of the London and Port Stanley Railway right of way and part of the said right of way, all as shown on registered Plan No. 117 and more particularly described as follows: *Firstly*, Commencing on the northerly limit of the Lake Road distant 6 chains and 47 links east of the easterly limit of the right of way of the London and Port Stanley Railway; Thence northerly parallel to the said easterly limit of the London and Port Stanley Railway 2 chains and 50 links; Thence westerly parallel to the northerly limit of the Lake Road 6 chains and 47 links to the easterly limit of the London and Port Stanley Railway; Thence southerly along the easterly limit of the London and Port Stanley Railway, 10 chains and 53 links; Thence easterly parallel to the southerly limit of the Lake Road, 2 chains and 4 links; Thence north-easterly in a straight line to the place of beginning; and *Secondly*, Commencing at the northeast angle of the lands firstly described and in the easterly limit of the London and Port Stanley Railway right of way; Thence northerly along the said easterly limit 124 feet 8 inches; Thence westerly parallel to the northerly limit of the Lake Road 20 feet; Thence southerly parallel to the easterly limit of the London and Port Stanley Railway right of way 124 feet 8 inches; Thence westerly parallel to the northerly limit of the Lake Road 54 feet; Thence southerly parallel to the easterly limit of the London and Port Stanley Railway right of way 1,170 feet, more or less, to the high water mark of the water's edge of Kettle Creek, and Thence northerly and easterly therealong against the stream to a point intersected by the easterly limit of the London and Port Stanley Railway right of way; Thence northerly therealong 220 feet, more or less, to a point therein which

is the southwest angle of the lands firstly described; Thence along the easterly limit of the said right of way and the westerly limit of the lands firstly described 695 feet, more or less, to the place of beginning.

AND WHEREAS the Purchaser represents that it is a corporation licensed or otherwise entitled to hold lands in the Province of Ontario;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto mutually covenant and agree each with the other as follows:

1. In consideration of the sum of \$6,800 now paid by the Purchaser to the Vendor, the Vendor gives to the Purchaser an option to buy the said lands and premises at and for the price of \$26,800, which option is irrevocable until the First day of March, 1961. The said option may be accepted by letter addressed to The London Railway Commission, City Hall, London, and posted prepaid and registered, in the City of Montreal, Quebec, or London, Ontario, on or before midnight of the 28th day of February, 1961. Time for acceptance of the said option will be extended until midnight, the 28th day of February, 1964, if the Purchaser shall have shipped at least one hundred cars of freight from Montreal to London and routed via the City of St. Thomas over The London and Port Stanley Railway in each of the years 1959, 1960, 1961, 1962 and 1963, but not otherwise. If the option be not accepted within either of the times so limited the Vendor will return the said sum of \$6,800 so paid, without interest, but less taxes which may have accrued upon the said lands and premises and have not been paid by the Purchaser.

2. The Purchaser shall not enter upon the said lands and premises for any purpose until the acceptance of the said option, but shall pay all taxes arising in respect thereof from the date of this agreement as the same shall become due.

3. Upon the acceptance of the said option the said sum of \$6,800, without interest, shall be applied as a deposit on the purchase price and the balance of \$20,000, without interest, shall be paid as follows: \$1,000 at the end of each year after the acceptance of the said option, and the whole balance of \$20,000 shall be paid not later than twenty years from the date hereof provided the said yearly payments of \$1,000 and the unpaid balance of the purchase price shall be reduced by the following sums for each car of freight shipped in either direction over the London and Port Stanley Railway, the origin or destination of which is the Purchaser: the sum of \$5 for each full car of freight carried over the London and Port Stanley Railway for the full distance between London and Port Stanley; the sum of \$3 for each full car of freight carried over the said railway between London and St. Thomas only; the sum of \$3 for each full car of freight carried over the said railway between St. Thomas and Port Stanley only. All freight shall be paid as billed and no deductions shall be made in payment of the freight for such cars at any time. The said reduction on account of the balance of the purchase price for cars shipped shall be accrued as from the date of this agreement. If in any year the reductions on the foregoing basis shall exceed the sum of \$1,000, they shall be applied in reduction of the payments of \$1,000 to be made in the succeeding year. The Purchaser shall have no property right, claim, title or interest in the said credits or reductions at any time notwithstanding that the payments and purchase price may be reduced thereby.

4. The Purchaser shall not be entitled to a deed of the premises until the entire sum of \$26,800 shall have been paid in the manner hereinbefore set forth, less the reductions hereinbefore provided for. If after acceptance of the option default shall be made in any of the terms hereof including the provisions of payment and the payment of taxes, or if any mechanic's liens are registered against the said lands and not vacated within ninety days after registration, the interest of the Purchaser in the said lands and premises and all payments made hereunder shall forthwith terminate. All payments made by the Purchaser under this agreement shall upon default become the property of the Vendor as liquidated damages.

5. This offer, upon acceptance, shall constitute a binding contract of purchase and sale. The Purchaser shall search the title at its own expense forthwith and shall make its objections thereto, in writing, within thirty days of this date. If objections are made which the Vendor is unable or unwilling to remove the Vendor may terminate this agreement, and upon such termination payments which have been made on account shall be returned to the Purchaser without interest, and the option to purchase hereby given shall be terminated and be of no further force or effect.

6. Upon completion of payment of the purchase price a deed shall be given at the expense of the Vendor, but subject to an agreement to be entered into by the Purchaser to be delivered contemporaneously with the delivery of the said deed but registered in priority thereto, in terms satisfactory to the Vendor's solicitor, and as hereinafter provided. The agreement shall contain a covenant on the part of the Purchaser that it will, within one year of the delivery of the deed, erect upon the said lands and premises, at a cost of not less than \$150,000, a structure or building for the processing and storage of grain. When the building is completed the Vendor will deliver a quitclaim deed to the parties entitled. The agreement shall also provide that in default of performance of the covenant to erect the said building or structure the Purchaser will deliver to the Vendor a deed of the said lands and premises, free from all claims, including liens, mortgages or encumbrances and taxes or claims to forfeiture in Mortmain, and the Purchaser shall then be repaid without interest one-half of the sums actually paid to the Vendor in cash on account of the purchase price, but not including the credits per car of freight.

7. The credits on account of purchase price hereinbefore provided for on the basis of cars of freight shipped are agreed to be effective only to the extent that they may be legally given. If The Board of Transport Commissioners for Canada or other competent authority shall allege or find that the same contravene any rule or law, this agreement shall not be nullified but shall be read and construed without reference to the credits per car of freight shipped, and no reductions in the balance of the purchase price or credits thereon shall be claimed or given but the whole balance shall be payable without regard thereto.

8. Time shall be of the essence of this agreement.

9. The Commission approves of the terms and conditions hereof and agrees to be bound thereby, and requests the Corporation to enter into the same.

10. Save as hereinafter provided, this agreement shall come into force and take effect upon the coming into force of an Act of the Legislature of Ontario, authorizing and empowering the parties to enter into the same and to carry out the terms and conditions thereof. If the said Act shall not be obtained at the first regular sitting of the Legislature in the year 1960, the said sum of \$6,800 paid by the Purchaser to the Vendor shall be repaid without interest and the Purchaser shall have no claim of any sort against the Vendor or the Commission, including the credits or reductions referred to in paragraph 3 hereof.

IN WITNESS WHEREOF the parties hereto of the First and Third Parts have hereunto caused to be affixed their respective seals corporate attested by the hands of their respective proper officers, and the party of the Second Part has hereunto caused to be affixed its corporate seal attested by the hands of its Mayor and Clerk.

SIGNED, SEALED AND DELIVERED

In the presence of

MOUNT ROYAL RICE MILLS LIMITED:

(Seal) N. S. VERITY,
Vice-President.

GEO. H. MOTHERWELL,
Secretary.

THE CORPORATION OF THE CITY OF
LONDON:

(Seal) J. ALLAN JOHNSTON,
Mayor.

R. H. COOPER,
Clerk.

THE LONDON RAILWAY COMMISSION:

(Seal) E. R. NICHOLS,
Chairman.

GEO. M. FRASER,
Secretary.

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. WHITE

(*Private Bill*)

BILL Pr25

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the City of London

MR. WHITE

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY



BILL Pr25

1960

An Act respecting the City of London

WHEREAS The Corporation of the City of London, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The Gore Cemetery, conveyed in 1849 by deed ^{Cemetery vested in City} registered in the Registry Office for the East and North Ridings of the County of Middlesex as No. 269 for the Township of London, made to trustees now deceased, is vested in the Corporation.

(2) The Corporation is authorized and empowered to close ^{Closing authorized} the Gore Cemetery and to forbid further burials therein.

(3) The Corporation is authorized and empowered, at its ^{Cairns authorized} expense, to remove the tombstones and to assemble them in a cairn or cairns for their preservation, to fence Gore Cemetery and to preserve and care for the same as a closed burial ground.

2.—(1) The Corporation is authorized and empowered to ^{Gratuities and retirement allowances} pass by-laws amending its system of gratuities and retirement allowances for its employees as therein defined, providing in addition thereto,

- (a) for a yearly allowance to its employees who retired prior to the 1st day of January, 1955, of a sum being the greater of $1\frac{1}{2}$ per cent of the salary in the last full year of employment preceding retirement or \$48, multiplied by the number of years' service with the Corporation prior to the 1st day of January, 1948;

- (b) for a yearly allowance to its employees who have retired between the 1st day of January, 1955, and the 1st day of January, 1960, of a sum being the greater of $1\frac{1}{2}$ per cent of the average annual salary received during such period or \$48, multiplied by the number of years' service with the Corporation prior to the 1st day of January, 1948;
- (c) for a yearly allowance to its employees who retire after the 1st day of January, 1960, of a sum being the greater of $1\frac{1}{2}$ per cent of the average annual salary during the last five years of employment or \$48, multiplied by the number of years' service with the Corporation prior to the 1st day of January, 1948;
- (d) that an employee with a total of not less than ten years' service with the Corporation shall have on retirement a minimum annual past and future service pension of \$600;
- (e) that nothing herein shall limit the amount of future service pension purchased with standard joint contributions or extra contributions by an employee;
- (f) that past service pension shall be limited so that the combined past and future service pension purchased with standard joint contributions on a five-year guaranteed basis shall not exceed \$2,500;

provided that, in such calculation for past service pension for firemen, no credit shall be given for employment for the years 1913 to 1932, both inclusive, and, in the calculation of the minimum annual past and future service pension payable, there shall be included an amount equivalent to the annuity that the lump sum payment which included interest received by such firemen for such years would have purchased from the Government of Canada on a 4 per cent basis guaranteed term five years, and provided that, in such calculation for past service pension for policemen, no credit shall be given for employment for the years 1928 to 1932, both inclusive, and, in the calculation of the minimum annual past and future service pension payable, there shall be included an amount equivalent to the annuity that the lump sum payment which included interest received by such policemen for such years would have purchased from the Government of Canada on a 4 per cent basis guaranteed term five years.

Pension
not to be
reduced

(2) No pension presently being paid shall be reduced in amount.

(3) The Corporation shall provide from current revenue in each of the years 1960 to 1969, both inclusive, the sum of \$90,000, which sum shall be credited to a reserve for past service pensions account established under section 312 of *The Municipal Act* from which the past service pensions shall be paid, and thereafter such sums shall be provided from the current revenue as may be required to pay such pensions.

Past service pension account
R.S.O. 1950, c. 243

(4) In the event that any employee shall have been re-classified downward during the last five years of his employment as the result of injury, illness or other cause beyond such employee's control, the council of the Corporation is authorized and empowered to make an adjustment within the maximum limits aforesaid.

Adjustment where reclassification

(5) The Corporation may provide that the effective date of the foregoing shall be the 1st day of January, 1960.

Effective date of amendments

3.—(1) The Corporation is authorized and empowered to pass by-laws adopting, in whole or in part or with such changes or alterations as the council of the Corporation deems expedient, The National Building Code of Canada, any code or standards adopted, made or sponsored by Canadian Standards Association, the Canadian Government Specifications Board, The American Society for Testing Materials or any other such body, and approved by The National Research Council (Canada), and for requiring compliance with any such codes and standards.

Adoption of National Building Code

(2) Any by-law passed pursuant to this section may require the production of plans of buildings or structures and may provide for charging fees for the inspection and approval of such plans, for fixing the amount of such fees and for issuing a permit certifying such approval, without which permit no building or structure may be erected, altered or repaired, and for authorizing the refusal of a permit for any building or structure, the plans of which do not comply with the provisions of any such by-law, code or standard.

Production of plans, etc.

4. The Corporation is authorized and empowered to enter into a lease or leases upon such terms and conditions as the council of the Corporation may deem expedient, and for such term of years not exceeding twenty, of lands of the Corporation, including the City of London airport or any portion thereof, and to approve of the subletting thereof by any lessee.

Leasing of lands of City

5. The Corporation is authorized and empowered to pass by-laws to provide that dogs within the City of London, when not confined to dwellings or property of their owners or

By-laws re keeping dogs upon leash

of persons having the care or custody of the dogs, shall at all times be restrained upon leash in charge of some person, and to impose penalties for the infraction thereof.

Licensing
keeping of
kennels

6. The Corporation is authorized and empowered to pass by-laws licensing, regulating or prohibiting the keeping of kennels for the breeding or boarding of cats or dogs within the municipality, or defined areas thereof, and for imposing penalties for the infraction thereof.

1931, c. 107,
s. 10,
amended

7. Section 10 of *The City of London Act, 1931* is amended by striking out "and" where it occurs the second time in the third line and inserting in lieu thereof "or", so that the section shall read as follows:

Butchers,
licences

10. The said corporation may, from time to time, pass by-laws for licensing, regulating and governing butchers, dealers and other persons who sell meat wholesale or retail, and may fix the sum to be paid for the licence and the time for which it shall be in force, and may provide for enforcing payment of the licence fee.

1959, c. 120,
s. 5, subs. 1,
re-enacted

8. Subsection 1 of section 5 of *The City of London Act, 1959* is repealed and the following substituted therefor:

Regulation
of
nursing
homes

(1) The Corporation is authorized and empowered to pass by-laws regulating, licensing and governing nursing homes and for revoking licences therefor and for imposing penalties for the infraction thereof.

1887, c. 58,
s. 9,
re-enacted

9. Section 9 of *An Act respecting the General Hospital of the City of London*, being chapter 58 of the Statutes of Ontario, 1887, is repealed and the following substituted therefor:

Treasurer

9.—(1) Save as to the Victoria Hospital Endowment Fund and War Memorial Children's Hospital Endowment Fund, the Board shall appoint a treasurer of the Board in respect of the affairs of such hospitals.

Auditors

(2) The auditors of the City of London shall be the auditors of the Board and shall be so appointed by the Board.

Question
of sale of
London &
Port Stanley
Railway
to vote of
electors
R.S.O. 1950,
c. 243

10. Notwithstanding *The Municipal Act*, the Corporation is authorized and empowered to submit to the electors at a time other than the day fixed for taking the poll at the annual municipal elections any question or questions regarding the sale, leasing or other disposition of the undertaking of The London & Port Stanley Railway or any part thereof.

11. The Corporation and The Board of Hospital Trustees of the City of London are authorized and empowered, subject to the approval of the Department of Municipal Affairs, to suspend as of the 1st day of January, 1960, or such later date as may be expedient, contributions from the Board and its employees to the pension plan of the Corporation, and to provide for pensions for the employees of the Board, or any of them, with the Pension Committee of the Hospitals of Ontario Pension Plan, and, if expedient, to transfer thereto such interest as the Board, or its employees, may have in the pension plan of the Corporation, and thereafter the employees' rights shall be determined under the provisions of The Hospitals of Ontario Pension Plan, which shall be accepted by and be binding on such employees.

12. The agreement between the Corporation, The London Railway Commission and Mount Royal Rice Mills, bearing date the 1st day of January, 1959, set forth as the Schedule hereto, is ratified and confirmed and the parties thereto are authorized and empowered to carry out the terms thereof.

13. Notwithstanding any other Act, the council of the Corporation is authorized and empowered, subject to such terms and conditions and extent as to it may appear proper, to pass by-laws from time to time exempting from taxation, save as to local improvements, lands and buildings of The London Little Theatre Incorporated, known as the Grand Theatre, or parts thereof, but excluding part or parts thereof not used and occupied for theatre purposes.

14. This Act comes into force on the day it receives Royal Assent.

15. This Act may be cited as *The City of London Act, 1960*.

SCHEDULE

THIS AGREEMENT made (in triplicate) the First day of January, in the year of Our Lord one thousand nine hundred and fifty-nine.

BETWEEN:

MOUNT ROYAL RICE MILLS LIMITED, a corporation
existing under the laws of the Government of Canada
(hereinafter called the Purchaser),

OF THE FIRST PART,

—and—

THE CORPORATION OF THE CITY OF LONDON
(hereinafter called the Vendor),

OF THE SECOND PART,

—and—

THE LONDON RAILWAY COMMISSION
(hereinafter called the Commission),

OF THE THIRD PART.

WHEREAS the Vendor is the owner of lands and premises described as follows:

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the Village of Port Stanley in the County of Elgin and being composed of part of Lot 18 lying south of the Lake Road and east of the London and Port Stanley Railway right of way, parts of Lots 15 and 16 lying north of the Lake Road and east of the London and Port Stanley Railway right of way, part of the Lake Road lying east of the London and Port Stanley Railway right of way and part of the said right of way, all as shown on registered Plan No. 117 and more particularly described as follows: *Firstly*, Commencing on the northerly limit of the Lake Road distant 6 chains and 47 links east of the easterly limit of the right of way of the London and Port Stanley Railway; Thence northerly parallel to the said easterly limit of the London and Port Stanley Railway 2 chains and 50 links; Thence westerly parallel to the northerly limit of the Lake Road 6 chains and 47 links to the easterly limit of the London and Port Stanley Railway; Thence southerly along the easterly limit of the London and Port Stanley Railway, 10 chains and 53 links; Thence easterly parallel to the southerly limit of the Lake Road, 2 chains and 4 links; Thence north-easterly in a straight line to the place of beginning; and *Secondly*, Commencing at the northeast angle of the lands firstly described and in the easterly limit of the London and Port Stanley Railway right of way; Thence northerly along the said easterly limit 124 feet 8 inches; Thence westerly parallel to the northerly limit of the Lake Road 20 feet; Thence southerly parallel to the easterly limit of the London and Port Stanley Railway right of way 124 feet 8 inches; Thence westerly parallel to the northerly limit of the Lake Road 54 feet; Thence southerly parallel to the easterly limit of the London and Port Stanley Railway right of way 1,170 feet, more or less, to the high water mark of the water's edge of Kettle Creek, and Thence northerly and easterly therealong against the stream to a point intersected by the easterly limit of the London and Port Stanley Railway right of way; Thence northerly therealong 220 feet, more or less, to a point therein which

is the southwest angle of the lands firstly described; Thence along the easterly limit of the said right of way and the westerly limit of the lands firstly described 695 feet, more or less, to the place of beginning.

AND WHEREAS the Purchaser represents that it is a corporation licensed or otherwise entitled to hold lands in the Province of Ontario;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto mutually covenant and agree each with the other as follows:

1. In consideration of the sum of \$6,800 now paid by the Purchaser to the Vendor, the Vendor gives to the Purchaser an option to buy the said lands and premises at and for the price of \$26,800, which option is irrevocable until the First day of March, 1961. The said option may be accepted by letter addressed to The London Railway Commission, City Hall, London, and posted prepaid and registered, in the City of Montreal, Quebec, or London, Ontario, on or before midnight of the 28th day of February, 1961. Time for acceptance of the said option will be extended until midnight, the 28th day of February, 1964, if the Purchaser shall have shipped at least one hundred cars of freight from Montreal to London and routed via the City of St. Thomas over The London and Port Stanley Railway in each of the years 1959, 1960, 1961, 1962 and 1963, but not otherwise. If the option be not accepted within either of the times so limited the Vendor will return the said sum of \$6,800 so paid, without interest, but less taxes which may have accrued upon the said lands and premises and have not been paid by the Purchaser.

2. The Purchaser shall not enter upon the said lands and premises for any purpose until the acceptance of the said option, but shall pay all taxes arising in respect thereof from the date of this agreement as the same shall become due.

3. Upon the acceptance of the said option the said sum of \$6,800, without interest, shall be applied as a deposit on the purchase price and the balance of \$20,000, without interest, shall be paid as follows: \$1,000 at the end of each year after the acceptance of the said option, and the whole balance of \$20,000 shall be paid not later than twenty years from the date hereof provided the said yearly payments of \$1,000 and the unpaid balance of the purchase price shall be reduced by the following sums for each car of freight shipped in either direction over the London and Port Stanley Railway, the origin or destination of which is the Purchaser: the sum of \$5 for each full car of freight carried over the London and Port Stanley Railway for the full distance between London and Port Stanley; the sum of \$3 for each full car of freight carried over the said railway between London and St. Thomas only; the sum of \$3 for each full car of freight carried over the said railway between St. Thomas and Port Stanley only. All freight shall be paid as billed and no deductions shall be made in payment of the freight for such cars at any time. The said reduction on account of the balance of the purchase price for cars shipped shall be accrued as from the date of this agreement. If in any year the reductions on the foregoing basis shall exceed the sum of \$1,000, they shall be applied in reduction of the payments of \$1,000 to be made in the succeeding year. The Purchaser shall have no property right, claim, title or interest in the said credits or reductions at any time notwithstanding that the payments and purchase price may be reduced thereby.

4. The Purchaser shall not be entitled to a deed of the premises until the entire sum of \$26,800 shall have been paid in the manner hereinbefore set forth, less the reductions hereinbefore provided for. If after acceptance of the option default shall be made in any of the terms hereof including the provisions of payment and the payment of taxes, or if any mechanic's liens are registered against the said lands and not vacated within ninety days after registration, the interest of the Purchaser in the said lands and premises and all payments made hereunder shall forthwith terminate. All payments made by the Purchaser under this agreement shall upon default become the property of the Vendor as liquidated damages.

5. This offer, upon acceptance, shall constitute a binding contract of purchase and sale. The Purchaser shall search the title at its own expense forthwith and shall make its objections thereto, in writing, within thirty days of this date. If objections are made which the Vendor is unable or unwilling to remove the Vendor may terminate this agreement, and upon such termination payments which have been made on account shall be returned to the Purchaser without interest, and the option to purchase hereby given shall be terminated and be of no further force or effect.

6. Upon completion of payment of the purchase price a deed shall be given at the expense of the Vendor, but subject to an agreement to be entered into by the Purchaser to be delivered contemporaneously with the delivery of the said deed but registered in priority thereto, in terms satisfactory to the Vendor's solicitor, and as hereinafter provided. The agreement shall contain a covenant on the part of the Purchaser that it will, within one year of the delivery of the deed, erect upon the said lands and premises, at a cost of not less than \$150,000, a structure or building for the processing and storage of grain. When the building is completed the Vendor will deliver a quitclaim deed to the parties entitled. The agreement shall also provide that in default of performance of the covenant to erect the said building or structure the Purchaser will deliver to the Vendor a deed of the said lands and premises, free from all claims, including liens, mortgages or encumbrances and taxes or claims to forfeiture in Mortmain, and the Purchaser shall then be repaid without interest one-half of the sums actually paid to the Vendor in cash on account of the purchase price, but not including the credits per car of freight.

7. The credits on account of purchase price hereinbefore provided for on the basis of cars of freight shipped are agreed to be effective only to the extent that they may be legally given. If The Board of Transport Commissioners for Canada or other competent authority shall allege or find that the same contravene any rule or law, this agreement shall not be nullified but shall be read and construed without reference to the credits per car of freight shipped, and no reductions in the balance of the purchase price or credits thereon shall be claimed or given but the whole balance shall be payable without regard thereto.

8. Time shall be of the essence of this agreement.

9. The Commission approves of the terms and conditions hereof and agrees to be bound thereby, and requests the Corporation to enter into the same.

10. Save as hereinafter provided, this agreement shall come into force and take effect upon the coming into force of an Act of the Legislature of Ontario, authorizing and empowering the parties to enter into the same and to carry out the terms and conditions thereof. If the said Act shall not be obtained at the first regular sitting of the Legislature in the year 1960, the said sum of \$6,800 paid by the Purchaser to the Vendor shall be repaid without interest and the Purchaser shall have no claim of any sort against the Vendor or the Commission, including the credits or reductions referred to in paragraph 3 hereof.

IN WITNESS WHEREOF the parties hereto of the First and Third Parts have hereunto caused to be affixed their respective seals corporate attested by the hands of their respective proper officers, and the party of the Second Part has hereunto caused to be affixed its corporate seal attested by the hands of its Mayor and Clerk.

SIGNED, SEALED AND DELIVERED

In the presence of

MOUNT ROYAL RICE MILLS LIMITED:

(Seal) N. S. VERITY,
Vice-President.

GEO. H. MOTHERWELL,
Secretary.

THE CORPORATION OF THE CITY OF
LONDON:

(Seal) J. ALLAN JOHNSTON,
Mayor.

R. H. COOPER,
Clerk.

THE LONDON RAILWAY COMMISSION:

(Seal) E. R. NICHOLS,
Chairman.

GEO. M. FRASER,
Secretary.

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. WHITE

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr25

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the City of London

MR. WHITE

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BILL Pr25

1960

An Act respecting the City of London

WHEREAS The Corporation of the City of London, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The Gore Cemetery, conveyed in 1849 by deed registered in the Registry Office for the East and North Ridings of the County of Middlesex as No. 269 for the Township of London, made to trustees now deceased, is vested in the Corporation. ^{Cemetery vested in City}

(2) The Corporation is authorized and empowered to close the Gore Cemetery and to forbid further burials therein. ^{Closing authorized}

(3) The Corporation is authorized and empowered, at its expense, to remove the tombstones and to assemble them in a cairn or cairns for their preservation, to fence Gore Cemetery and to preserve and care for the same as a closed burial ground. ^{Cairns authorized}

2.—(1) The Corporation is authorized and empowered to pass by-laws amending its system of gratuities and retirement allowances for its employees as therein defined, providing in addition thereto, ^{Gratuities and retirement allowances}

- (a) for a yearly allowance to its employees who retired prior to the 1st day of January, 1955, of a sum being the greater of $1\frac{1}{2}$ per cent of the salary in the last full year of employment preceding retirement or \$48, multiplied by the number of years' service with the Corporation prior to the 1st day of January, 1948;

- (b) for a yearly allowance to its employees who have retired between the 1st day of January, 1955, and the 1st day of January, 1960, of a sum being the greater of $1\frac{1}{2}$ per cent of the average annual salary received during such period or \$48, multiplied by the number of years' service with the Corporation prior to the 1st day of January, 1948;
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- (f) that past service pension shall be limited so that the combined past and future service pension purchased with standard joint contributions on a five-year guaranteed basis shall not exceed \$2,500;

provided that, in such calculation for past service pension for firemen, no credit shall be given for employment for the years 1913 to 1932, both inclusive, and, in the calculation of the minimum annual past and future service pension payable, there shall be included an amount equivalent to the annuity that the lump sum payment which included interest received by such firemen for such years would have purchased from the Government of Canada on a 4 per cent basis guaranteed term five years, and provided that, in such calculation for past service pension for policemen, no credit shall be given for employment for the years 1928 to 1932, both inclusive, and, in the calculation of the minimum annual past and future service pension payable, there shall be included an amount equivalent to the annuity that the lump sum payment which included interest received by such policemen for such years would have purchased from the Government of Canada on a 4 per cent basis guaranteed term five years.

Pension
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reduced

(2) No pension presently being paid shall be reduced in amount.

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Past service pension account
R.S.O. 1950, c. 243

(4) In the event that any employee shall have been re-classified downward during the last five years of his employment as the result of injury, illness or other cause beyond such employee's control, the council of the Corporation is authorized and empowered to make an adjustment within the maximum limits aforesaid.

Adjustment where reclassification

(5) The Corporation may provide that the effective date of the foregoing shall be the 1st day of January, 1960.

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3.—(1) The Corporation is authorized and empowered to pass by-laws adopting, in whole or in part or with such changes or alterations as the council of the Corporation deems expedient, The National Building Code of Canada, any code or standards adopted, made or sponsored by Canadian Standards Association, the Canadian Government Specifications Board, The American Society for Testing Materials or any other such body, and approved by The National Research Council (Canada), and for requiring compliance with any such codes and standards.

Adoption of National Building Code

(2) Any by-law passed pursuant to this section may require the production of plans of buildings or structures and may provide for charging fees for the inspection and approval of such plans, for fixing the amount of such fees and for issuing a permit certifying such approval, without which permit no building or structure may be erected, altered or repaired, and for authorizing the refusal of a permit for any building or structure, the plans of which do not comply with the provisions of any such by-law, code or standard.

Production of plans, etc.

4. The Corporation is authorized and empowered to enter into a lease or leases upon such terms and conditions as the council of the Corporation may deem expedient, and for such term of years not exceeding twenty, of lands of the Corporation, including the City of London airport or any portion thereof, and to approve of the subletting thereof by any lessee.

Leasing of lands of City

5. The Corporation is authorized and empowered to pass by-laws to provide that dogs within the City of London, when not confined to dwellings or property of their owners or

By-laws re keeping dogs upon leash

of persons having the care or custody of the dogs, shall at all times be restrained upon leash in charge of some person, and to impose penalties for the infraction thereof.

Licensing
keeping of
kennels

6. The Corporation is authorized and empowered to pass by-laws licensing, regulating or prohibiting the keeping of kennels for the breeding or boarding of cats or dogs within the municipality, or defined areas thereof, and for imposing penalties for the infraction thereof.

1931, c. 107,
s. 10,
amended

7. Section 10 of *The City of London Act, 1931* is amended by striking out "and" where it occurs the second time in the third line and inserting in lieu thereof "or", so that the section shall read as follows:

Butchers,
licences

10. The said corporation may, from time to time, pass by-laws for licensing, regulating and governing butchers, dealers and other persons who sell meat wholesale or retail, and may fix the sum to be paid for the licence and the time for which it shall be in force, and may provide for enforcing payment of the licence fee.

1959, c. 120,
s. 5, subs. 1,
re-enacted

8. Subsection 1 of section 5 of *The City of London Act, 1959* is repealed and the following substituted therefor:

Regulation
of
nursing
homes

(1) The Corporation is authorized and empowered to pass by-laws regulating, licensing and governing nursing homes and for revoking licences therefor and for imposing penalties for the infraction thereof.

1887, c. 58,
s. 9,
re-enacted

9. Section 9 of *An Act respecting the General Hospital of the City of London*, being chapter 58 of the Statutes of Ontario, 1887, is repealed and the following substituted therefor:

Treasurer

9.—(1) Save as to the Victoria Hospital Endowment Fund and War Memorial Children's Hospital Endowment Fund, the Board shall appoint a treasurer of the Board in respect of the affairs of such hospitals.

Auditors

(2) The auditors of the City of London shall be the auditors of the Board and shall be so appointed by the Board.

Question
of sale of
London &
Port Stanley
Railway
to vote of
electors
R.S.O. 1950,
c. 243

10. Notwithstanding *The Municipal Act*, the Corporation is authorized and empowered to submit to the electors at a time other than the day fixed for taking the poll at the annual municipal elections any question or questions regarding the sale, leasing or other disposition of the undertaking of The London & Port Stanley Railway or any part thereof.

11. The Corporation and The Board of Hospital Trustees of the City of London are authorized and empowered, subject to the approval of the Department of Municipal Affairs, to suspend as of the 1st day of January, 1960, or such later date as may be expedient, contributions from the Board and its employees to the pension plan of the Corporation, and to provide for pensions for the employees of the Board, or any of them, with the Pension Committee of the Hospitals of Ontario Pension Plan, and, if expedient, to transfer thereto such interest as the Board, or its employees, may have in the pension plan of the Corporation, and thereafter the employees' rights shall be determined under the provisions of The Hospitals of Ontario Pension Plan, which shall be accepted by and be binding on such employees

Pensions
of
employees
of Board of
Hospital
Trustees
of London

12. The agreement between the Corporation, The London Railway Commission and Mount Royal Rice Mills, bearing date the 1st day of January, 1959, set forth as the Schedule hereto, is ratified and confirmed and the parties thereto are authorized and empowered to carry out the terms thereof.

Agreement
confirmed

13. Notwithstanding any other Act, the council of the Corporation is authorized and empowered, subject to such terms and conditions and extent as to it may appear proper, to pass by-laws from time to time exempting from taxation, save as to local improvements, lands and buildings of The London Little Theatre Incorporated, known as the Grand Theatre, or parts thereof, but excluding part or parts thereof not used and occupied for theatre purposes.

Tax
exemption

14. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

15. This Act may be cited as *The City of London Act, 1960*.

Short title

SCHEDULE

THIS AGREEMENT made (in triplicate) the First day of January, in the year of Our Lord one thousand nine hundred and fifty-nine.

BETWEEN:

MOUNT ROYAL RICE MILLS LIMITED, a corporation existing under the laws of the Government of Canada (hereinafter called the Purchaser),

OF THE FIRST PART,

—and—

THE CORPORATION OF THE CITY OF LONDON (hereinafter called the Vendor),

OF THE SECOND PART,

—and—

THE LONDON RAILWAY COMMISSION (hereinafter called the Commission),

OF THE THIRD PART.

WHEREAS the Vendor is the owner of lands and premises described as follows:

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the Village of Port Stanley in the County of Elgin and being composed of part of Lot 18 lying south of the Lake Road and east of the London and Port Stanley Railway right of way, parts of Lots 15 and 16 lying north of the Lake Road and east of the London and Port Stanley Railway right of way, part of the Lake Road lying east of the London and Port Stanley Railway right of way and part of the said right of way, all as shown on registered Plan No. 117 and more particularly described as follows: *Firstly*, Commencing on the northerly limit of the Lake Road distant 6 chains and 47 links east of the easterly limit of the right of way of the London and Port Stanley Railway; Thence northerly parallel to the said easterly limit of the London and Port Stanley Railway 2 chains and 50 links; Thence westerly parallel to the northerly limit of the Lake Road 6 chains and 47 links to the easterly limit of the London and Port Stanley Railway; Thence southerly along the easterly limit of the London and Port Stanley Railway, 10 chains and 53 links; Thence easterly parallel to the southerly limit of the Lake Road, 2 chains and 4 links; Thence north-easterly in a straight line to the place of beginning; and *Secondly*, Commencing at the northeast angle of the lands firstly described and in the easterly limit of the London and Port Stanley Railway right of way; Thence northerly along the said easterly limit 124 feet 8 inches; Thence westerly parallel to the northerly limit of the Lake Road 20 feet; Thence southerly parallel to the easterly limit of the London and Port Stanley Railway right of way 124 feet 8 inches; Thence westerly parallel to the northerly limit of the Lake Road 54 feet; Thence southerly parallel to the easterly limit of the London and Port Stanley Railway right of way 1,170 feet, more or less, to the high water mark of the water's edge of Kettle Creek, and Thence northerly and easterly therealong against the stream to a point intersected by the easterly limit of the London and Port Stanley Railway right of way; Thence northerly therealong 220 feet, more or less, to a point therein which

is the southwest angle of the lands firstly described; Thence along the easterly limit of the said right of way and the westerly limit of the lands firstly described 695 feet, more or less, to the place of beginning.

AND WHEREAS the Purchaser represents that it is a corporation licensed or otherwise entitled to hold lands in the Province of Ontario;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto mutually covenant and agree each with the other as follows:

1. In consideration of the sum of \$6,800 now paid by the Purchaser to the Vendor, the Vendor gives to the Purchaser an option to buy the said lands and premises at and for the price of \$26,800, which option is irrevocable until the First day of March, 1961. The said option may be accepted by letter addressed to The London Railway Commission, City Hall, London, and posted prepaid and registered, in the City of Montreal, Quebec, or London, Ontario, on or before midnight of the 28th day of February, 1961. Time for acceptance of the said option will be extended until midnight, the 28th day of February, 1964, if the Purchaser shall have shipped at least one hundred cars of freight from Montreal to London and routed via the City of St. Thomas over The London and Port Stanley Railway in each of the years 1959, 1960, 1961, 1962 and 1963, but not otherwise. If the option be not accepted within either of the times so limited the Vendor will return the said sum of \$6,800 so paid, without interest, but less taxes which may have accrued upon the said lands and premises and have not been paid by the Purchaser.

2. The Purchaser shall not enter upon the said lands and premises for any purpose until the acceptance of the said option, but shall pay all taxes arising in respect thereof from the date of this agreement as the same shall become due.

3. Upon the acceptance of the said option the said sum of \$6,800, without interest, shall be applied as a deposit on the purchase price and the balance of \$20,000, without interest, shall be paid as follows: \$1,000 at the end of each year after the acceptance of the said option, and the whole balance of \$20,000 shall be paid not later than twenty years from the date hereof provided the said yearly payments of \$1,000 and the unpaid balance of the purchase price shall be reduced by the following sums for each car of freight shipped in either direction over the London and Port Stanley Railway, the origin or destination of which is the Purchaser: the sum of \$5 for each full car of freight carried over the London and Port Stanley Railway for the full distance between London and Port Stanley; the sum of \$3 for each full car of freight carried over the said railway between London and St. Thomas only; the sum of \$3 for each full car of freight carried over the said railway between St. Thomas and Port Stanley only. All freight shall be paid as billed and no deductions shall be made in payment of the freight for such cars at any time. The said reduction on account of the balance of the purchase price for cars shipped shall be accrued as from the date of this agreement. If in any year the reductions on the foregoing basis shall exceed the sum of \$1,000, they shall be applied in reduction of the payments of \$1,000 to be made in the succeeding year. The Purchaser shall have no property right, claim, title or interest in the said credits or reductions at any time notwithstanding that the payments and purchase price may be reduced thereby.

4. The Purchaser shall not be entitled to a deed of the premises until the entire sum of \$26,800 shall have been paid in the manner hereinbefore set forth, less the reductions hereinbefore provided for. If after acceptance of the option default shall be made in any of the terms hereof including the provisions of payment and the payment of taxes, or if any mechanic's liens are registered against the said lands and not vacated within ninety days after registration, the interest of the Purchaser in the said lands and premises and all payments made hereunder shall forthwith terminate. All payments made by the Purchaser under this agreement shall upon default become the property of the Vendor as liquidated damages.

5. This offer, upon acceptance, shall constitute a binding contract of purchase and sale. The Purchaser shall search the title at its own expense forthwith and shall make its objections thereto, in writing, within thirty days of this date. If objections are made which the Vendor is unable or unwilling to remove the Vendor may terminate this agreement, and upon such termination payments which have been made on account shall be returned to the Purchaser without interest, and the option to purchase hereby given shall be terminated and be of no further force or effect.

6. Upon completion of payment of the purchase price a deed shall be given at the expense of the Vendor, but subject to an agreement to be entered into by the Purchaser to be delivered contemporaneously with the delivery of the said deed but registered in priority thereto, in terms satisfactory to the Vendor's solicitor, and as hereinafter provided. The agreement shall contain a covenant on the part of the Purchaser that it will, within one year of the delivery of the deed, erect upon the said lands and premises, at a cost of not less than \$150,000, a structure or building for the processing and storage of grain. When the building is completed the Vendor will deliver a quitclaim deed to the parties entitled. The agreement shall also provide that in default of performance of the covenant to erect the said building or structure the Purchaser will deliver to the Vendor a deed of the said lands and premises, free from all claims, including liens, mortgages or encumbrances and taxes or claims to forfeiture in Mortmain, and the Purchaser shall then be repaid without interest one-half of the sums actually paid to the Vendor in cash on account of the purchase price, but not including the credits per car of freight.

7. The credits on account of purchase price hereinbefore provided for on the basis of cars of freight shipped are agreed to be effective only to the extent that they may be legally given. If The Board of Transport Commissioners for Canada or other competent authority shall allege or find that the same contravene any rule or law, this agreement shall not be nullified but shall be read and construed without reference to the credits per car of freight shipped, and no reductions in the balance of the purchase price or credits thereon shall be claimed or given but the whole balance shall be payable without regard thereto.

8. Time shall be of the essence of this agreement.

9. The Commission approves of the terms and conditions hereof and agrees to be bound thereby, and requests the Corporation to enter into the same.

10. Save as hereinafter provided, this agreement shall come into force and take effect upon the coming into force of an Act of the Legislature of Ontario, authorizing and empowering the parties to enter into the same and to carry out the terms and conditions thereof. If the said Act shall not be obtained at the first regular sitting of the Legislature in the year 1960, the said sum of \$6,800 paid by the Purchaser to the Vendor shall be repaid without interest and the Purchaser shall have no claim of any sort against the Vendor or the Commission, including the credits or reductions referred to in paragraph 3 hereof.

IN WITNESS WHEREOF the parties hereto of the First and Third Parts have hereunto caused to be affixed their respective seals corporate attested by the hands of their respective proper officers, and the party of the Second Part has hereunto caused to be affixed its corporate seal attested by the hands of its Mayor and Clerk.

SIGNED, SEALED AND DELIVERED

In the presence of

MOUNT ROYAL RICE MILLS LIMITED:

(Seal) N. S. VERITY,
Vice-President.

GEO. H. MOTHERWELL,
Secretary.

THE CORPORATION OF THE CITY OF
LONDON:

(Seal) J. ALLAN JOHNSTON,
Mayor.

R. H. COOPER,
Clerk.

THE LONDON RAILWAY COMMISSION:

(Seal) E. R. NICHOLS,
Chairman.

GEO. M. FRASER,
Secretary.

1st Reading

February 11th, 1960

2nd Reading

March 8th, 1960

3rd Reading

March 17th, 1960

MR. WHITE

BILL Pr26

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Fort William

MR. NODEN

(PRIVATE BILL)

**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY**

BILL Pr26

1960

An Act respecting the City of Fort William

WHEREAS The Corporation of the City of Fort William, Preamble
herein called the Corporation, by its petition has prayed
for special legislation in respect of the matters hereinafter set
forth; and whereas it is expedient to grant the prayer of the
petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Island No. 1, lying at the mouth of the Kaministiquia McKellar Island
River, shall be henceforth known and described as McKellar
Island.

2. Island No. 2, lying between the McKellar River and Mission Island
the Mission River, shall be henceforth known and described as
Mission Island.

3. McKellar Island, Mission Island, Mutton Island (also Certain lands now part of Indian Reserve form part of City
known as Georgina Island) and the Welcome Islands, together
with those portions of the Fort William Indian Reserve
No. 52 that have been granted to or acquired by the Cor-
poration or others and that have become subject to the
control and jurisdiction of the Legislative Assembly of the
Province of Ontario, shall be and form part of the Corporation.

4. All other lands now forming part of the Fort William Certain lands now part of the Indian Reserve, when to form part of City
Indian Reserve No. 52 that may from time to time be acquired
by the Corporation or others under patent from the Crown
in right of Canada, as represented by the Department of
Indian Affairs, shall, so soon as such lands are granted to or
acquired by the Corporation or others and otherwise become
subject to the control of the jurisdiction of the Legislative
Assembly of the Province of Ontario, be and form part of
the Corporation, and such lands shall, as soon as they become
part of the Corporation, be and form part of Ward 4 of the
City of Fort William.

- Commence-
ment **5.** This Act comes into force on the day it receives Royal Assent.
- Short title **6.** This Act may be cited as *The City of Fort William Act, 1960*.

1st Reading

2nd Reading

3rd Reading

MR. NODEN

(*Private Bill*)

BILL Pr26

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Fort William

MR. NODEN

(Reprinted as amended by the Committee on Private Bills)

BILL Pr26

1960

An Act respecting the City of Fort William

WHEREAS The Corporation of the City of Fort William, Preamble
herein called the Corporation, by its petition has prayed
for special legislation in respect of the matters hereinafter set
forth; and whereas it is expedient to grant the prayer of the
petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Island No. 1, lying at the mouth of the Kaministiquia McKellar Island
River, shall be henceforth known and described as McKellar
Island.

2. Island No. 2, lying between the McKellar River and Mission Island
the Mission River, shall be henceforth known and described as
Mission Island.

3. McKellar Island, Mission Island and Mutton Island Certain lands now part of Indian Reserve form part of City
(also known as Georgina Island), together with those portions
of the Fort William Indian Reserve No. 52 that have been
granted to or acquired by the Corporation or others and that
have become subject to the control and jurisdiction of the
Legislative Assembly of the Province of Ontario, shall be and
form part of the Corporation.

4. All other lands now forming part of the Fort William Certain lands now part of the Indian Reserve, when to form part of City
Indian Reserve No. 52 that may from time to time be acquired
by the Corporation or others under patent from the Crown
in right of Canada, as represented by the Department of
Indian Affairs, shall, so soon as such lands are granted to or
acquired by the Corporation or others and otherwise become
subject to the control of the jurisdiction of the Legislative
Assembly of the Province of Ontario, be and form part of
the Corporation, and such lands shall, as soon as they become
part of the Corporation, be and form part of Ward 4 of the
City of Fort William.

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The City of Fort William Act, 1960.*

Expenditure, 11th 1880
to 1881

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. NODEN

(Reprinted as amended by the
Committee on Private Bills)

BILL Pr26

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Fort William

MR. NODEN

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr26

1960

An Act respecting the City of Fort William

WHEREAS The Corporation of the City of Fort William, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Island No. 1, lying at the mouth of the Kaministiquia River, shall be henceforth known and described as McKellar Island. ^{McKellar Island}

2. Island No. 2, lying between the McKellar River and the Mission River, shall be henceforth known and described as Mission Island. ^{Mission Island}

3. McKellar Island, Mission Island and Mutton Island (also known as Georgina Island), together with those portions of the Fort William Indian Reserve No. 52 that have been granted to or acquired by the Corporation or others and that have become subject to the control and jurisdiction of the Legislative Assembly of the Province of Ontario, shall be and form part of the Corporation. ^{Certain lands part of Indian Reserve form part of City}

4. All other lands now forming part of the Fort William Indian Reserve No. 52 that may from time to time be acquired by the Corporation or others under patent from the Crown in right of Canada, as represented by the Department of Indian Affairs, shall, so soon as such lands are granted to or acquired by the Corporation or others and otherwise become subject to the control of the jurisdiction of the Legislative Assembly of the Province of Ontario, be and form part of the Corporation, and such lands shall, as soon as they become part of the Corporation, be and form part of Ward 4 of the City of Fort William. ^{Certain lands now part of the Indian Reserve, when to form part of City}

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The City of Fort William Act, 1960*.

1st Reading

February 11th, 1960

2nd Reading

March 3rd, 1960

3rd Reading

March 8th, 1960

MR. NODEN

BILL Pr27

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Municipality of Neebing

MR. NODEN

(PRIVATE BILL)

BILL Pr27

1960

An Act respecting the Municipality of Neebing

WHEREAS The Corporation of the Municipality of Neebing by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preambl

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The corporate name of the Municipality of Neebing is hereby designated and confirmed as "The Corporation of the Municipality of Neebing".

Confirmation
of
corporate
name

2. All conveyances, deeds, by-laws, contracts, documents, debentures, acts and things done by The Corporation of the Municipality of Neebing under the name of The Corporation of the Municipality of Neebing, The Corporation of the Township of Neebing or The Municipality of Neebing, in so far as the use of the corporate name of the municipality is concerned, are hereby ratified, confirmed and declared to be binding between the respective parties thereto.

Use of
names
validated

3. The Prince Mining Location, more particularly described in Schedule A hereto, is hereby included in and forms part of the Township of Blake, within The Corporation of the Municipality of Neebing.

Annexation
of the
Prince
Mining
Location

4. The Jarvis Mining Location, more particularly described in Schedule B hereto, is hereby included in and forms part of the Township of Crooks, within The Corporation of the Municipality of Neebing.

Annexation
of the
Jarvis
Mining
Location

5. The Stuart Mining Location, more particularly described in Schedule C hereto, is hereby included in and forms part of the Township of Pardee, within The Corporation of the Municipality of Neebing.

Annexation
of the
Stuart
Mining
Location

By-laws in
force in
annexed
territories

6. All by-laws, assessments made and taxes levied by The Corporation of the Municipality of Neebing shall be deemed to apply to the Prince Mining Location, the Jarvis Mining Location and the Stuart Mining Location.

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. This Act may be cited as *The Municipality of Neebing Act, 1960*.

SCHEDULE A

THE PRINCE MINING LOCATION which may be more particularly described as follows, that is to say:

All that Parcel or Tract of Land, situate, lying and being in the District of Thunder Bay in the Province of Ontario, containing by admeasurement Six Thousand Four Hundred acres be the same more or less; which said Parcel or Tract of Land may be otherwise known as follows, that is to say, being composed of:

All that land on the North West shore of Lake Superior marked V and coloured with a blue margin on a plan by Provincial Surveyor John MacNaughton dated 11th January, 1847, of Record in the Department of Crown Lands and which may be described as follows, that is to say:

COMMENCING at the water's edge on the North West shore of Lake Superior at the North-east angle of that parcel of land heretofore granted to the Montreal Mining Company IV on the plan above-mentioned;

Thence North forty-nine degrees thirty minutes West astronomically along the North easterly boundary of said parcel of land marked IV, three hundred and twenty chains;

Thence North forty degrees thirty minutes east astronomically one hundred and sixty chains;

Thence South forty-nine degrees thirty minutes east astronomically (parallel with the aforesaid North Easterly Boundary of said land marked IV), two hundred and eighty-three chains more or less to the water's edge of Lake Superior;

Thence along the water's edge to the place of beginning;

Together with Spar Island, a small Island at the West Point of Spar Island, the West part of Mink Island, being all that part thereof now unpatented and any islands situated in front of the lands hereby granted which are within the space included within the production easterly of the Northerly and Southerly Boundaries of the tract above described.

SCHEDULE B

THE JARVIS MINING LOCATION which may be more particularly described as follows, that is to say:

All that Parcel or Tract of land, situate, lying and being on the Northern Shore of Lake Superior in Our said Province, containing by admeasurement Six Thousand Four Hundred square acres be the same more or less; of which said Parcel or Tract of Land the front angles have been marked and established by Provincial Surveyor John MacNaughton, and the boundaries whereof are as follows, that is to say:

COMMENCING at a Spruce Tree, seventeen inches in diameter standing on the North West Shore of Lake Superior ten Links back from which Licensed Provincial Surveyor MacNaughton planted a Stone of greenish grey colour about three feet long, ten inches broad and two and a half inches thick with a pile of Stones about it in North latitude forty-eight degrees seven minutes thirty seconds, and West Longitude eighty-eight degrees thirty-two minutes thirty-five seconds by Captain Bayfield's chart;

Thence running North forty-nine degrees thirty minutes West astronomically, along the South Western limit of the Mineral Location, originally assigned to John Prince, Esquire, three hundred and twenty chains, more or less, so as with the Islands and parts of Islands in front of the Lands herein described and lying within the limits of the lateral lines thereof produced as shewn on Mr. MacNaughton's plan of survey on Record in the Department of Crown Lands, to include an area of Ten Square Miles;

Thence south forty degrees thirty minutes West one hundred and sixty chains;

Thence South forty-nine degrees thirty minutes East four hundred and eleven chains, more or less, to the water's edge of Lake Superior;

Thence along the water's edge in a Northerly direction to the place of beginning;

Together with all the Islands and parts of Islands in front of the Lands above described, and as shewn in the before mentioned plan of Provincial Surveyor MacNaughton;

Reserving free access to the Shores both on the Islands and main Land for all Vessels, Boats and Persons;

And Subject to the further reservation and condition that any roads deemed necessary may be, under the authority and direction of the Executive Government, laid out, opened and dedicated to and for the use of Her Majesty's Subjects over and across the Lands hereby granted.

SCHEDULE C

THE STUART MINING LOCATION which may be more particularly described as follows, that is to say:

COMMENCING at the most easterly angle of the Stuart Location as established by Provincial Land Surveyor John MacNaughton in the year 1847 at the shore of Lake Superior, being also the most southerly angle of the Township of Crooks;

Thence North forty-nine degrees 30 minutes West astronomically along the north-east boundary of the Stuart Location as established by Provincial Land Surveyor Hugh Wilson in the year 1872, being also along the south-westerly boundary of the Township of Crooks and part of the south-westerly boundary of the Township of Pardee a distance of 4.6 miles, more or less, to the most northerly angle of the Stuart Location;

Thence south 40 degrees 30 minutes West astronomically along the north-west boundary of the Stuart Location as surveyed by Provincial Land Surveyor Hugh Wilson in the year 1873, being also along the south-easterly boundary of the Township of Pardee, a distance of 5.15 miles, more or less, to the intersection of that boundary with the high water-mark on the northerly shore of the Pigeon River;

Thence in a general easterly direction along the high-water mark of the northerly shore of the Pigeon River and of Lake Superior a distance of thirteen miles, more or less, to the point of commencement;

Reserving free access to the shore of Pigeon Bay and River for all vessels, boats and persons;

And Subject to the further reservation and condition that any roads deemed necessary may be, under the authority and direction of the Executive Government, laid out, opened and dedicated to and for use of Her Majesty's Subjects over and across the lands hereby granted.

1st Reading

2nd Reading

3rd Reading

MR. NODEN

(Private Bill)

BILL Pr27

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the Municipality of Neebing

MR. NODEN

**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY**

BILL Pr27

1960

An Act respecting the Municipality of Neebing

WHEREAS The Corporation of the Municipality of Neebing by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The corporate name of the Municipality of Neebing is hereby designated and confirmed as "The Corporation of the Municipality of Neebing".

Confirmation of corporate name

2. All conveyances, deeds, by-laws, contracts, documents, debentures, acts and things done by The Corporation of the Municipality of Neebing under the name of The Corporation of the Municipality of Neebing, The Corporation of the Township of Neebing or The Municipality of Neebing, in so far as the use of the corporate name of the municipality is concerned, are hereby ratified, confirmed and declared to be binding between the respective parties thereto.

Use of names validated

3. The Prince Mining Location, more particularly described in Schedule A hereto, is hereby included in and forms part of the Township of Blake, within The Corporation of the Municipality of Neebing.

Annexation of the Prince Mining Location

4. The Jarvis Mining Location, more particularly described in Schedule B hereto, is hereby included in and forms part of the Township of Crooks, within The Corporation of the Municipality of Neebing.

Annexation of the Jarvis Mining Location

5. The Stuart Mining Location, more particularly described in Schedule C hereto, is hereby included in and forms part of the Township of Pardee, within The Corporation of the Municipality of Neebing.

Annexation of the Stuart Mining Location

By-laws in
force in
annexed
territories

6. All by-laws, assessments made and taxes levied by The Corporation of the Municipality of Neebing shall be deemed to apply to the Prince Mining Location, the Jarvis Mining Location and the Stuart Mining Location.

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. This Act may be cited as *The Municipality of Neebing Act, 1960*.

SCHEDULE A

THE PRINCE MINING LOCATION which may be more particularly described as follows, that is to say:

All that Parcel or Tract of Land, situate, lying and being in the District of Thunder Bay in the Province of Ontario, containing by admeasurement Six Thousand Four Hundred acres be the same more or less; which said Parcel or Tract of Land may be otherwise known as follows, that is to say, being composed of:

All that land on the North West shore of Lake Superior marked V and coloured with a blue margin on a plan by Provincial Surveyor John MacNaughton dated 11th January, 1847, of Record in the Department of Crown Lands and which may be described as follows, that is to say:

COMMENCING at the water's edge on the North West shore of Lake Superior at the North-east angle of that parcel of land heretofore granted to the Montreal Mining Company IV on the plan above-mentioned;

Thence North forty-nine degrees thirty minutes West astronomically along the North easterly boundary of said parcel of land marked IV, three hundred and twenty chains;

Thence North forty degrees thirty minutes east astronomically one hundred and sixty chains;

Thence South forty-nine degrees thirty minutes east astronomically (parallel with the aforesaid North Easterly Boundary of said land marked IV), two hundred and eighty-three chains more or less to the water's edge of Lake Superior;

Thence along the water's edge to the place of beginning;

Together with Spar Island, a small Island at the West Point of Spar Island, the West part of Mink Island, being all that part thereof now unpatented and any islands situated in front of the lands hereby granted which are within the space included within the production easterly of the Northerly and Southerly Boundaries of the tract above described.

SCHEDULE B

THE JARVIS MINING LOCATION which may be more particularly described as follows, that is to say:

All that Parcel or Tract of land, situate, lying and being on the Northern Shore of Lake Superior in Our said Province, containing by admeasurement Six Thousand Four Hundred square acres be the same more or less; of which said Parcel or Tract of Land the front angles have been marked and established by Provincial Surveyor John MacNaughton, and the boundaries whereof are as follows, that is to say:

COMMENCING at a Spruce Tree, seventeen inches in diameter standing on the North West Shore of Lake Superior ten Links back from which Licensed Provincial Surveyor MacNaughton planted a Stone of greenish grey colour about three feet long, ten inches broad and two and a half inches thick with a pile of Stones about it in North latitude forty-eight degrees seven minutes thirty seconds, and West Longitude eighty-eight degrees thirty-two minutes thirty-five seconds by Captain Bayfield's chart;

Thence running North forty-nine degrees thirty minutes West astronomically, along the South Western limit of the Mineral Location, originally assigned to John Prince, Esquire, three hundred and twenty chains, more or less, so as with the Islands and parts of Islands in front of the Lands herein described and lying within the limits of the lateral lines thereof produced as shewn on Mr. MacNaughton's plan of survey on Record in the Department of Crown Lands, to include an area of Ten Square Miles;

Thence south forty degrees thirty minutes West one hundred and sixty chains;

Thence South forty-nine degrees thirty minutes East four hundred and eleven chains, more or less, to the water's edge of Lake Superior;

Thence along the water's edge in a Northerly direction to the place of beginning;

Together with all the Islands and parts of Islands in front of the Lands above described, and as shewn in the before mentioned plan of Provincial Surveyor MacNaughton;

Reserving free access to the Shores both on the Islands and main Land for all Vessels, Boats and Persons;

And Subject to the further reservation and condition that any roads deemed necessary may be, under the authority and direction of the Executive Government, laid out, opened and dedicated to and for the use of Her Majesty's Subjects over and across the Lands hereby granted.

SCHEDULE C

THE STUART MINING LOCATION which may be more particularly described as follows, that is to say:

COMMENCING at the most easterly angle of the Stuart Location as established by Provincial Land Surveyor John MacNaughton in the year 1847 at the shore of Lake Superior, being also the most southerly angle of the Township of Crooks;

Thence North forty-nine degrees 30 minutes West astronomically along the north-east boundary of the Stuart Location as established by Provincial Land Surveyor Hugh Wilson in the year 1872, being also along the south-westerly boundary of the Township of Crooks and part of the south-westerly boundary of the Township of Pardee a distance of 4.6 miles, more or less, to the most northerly angle of the Stuart Location;

Thence south 40 degrees 30 minutes West astronomically along the north-west boundary of the Stuart Location as surveyed by Provincial Land Surveyor Hugh Wilson in the year 1873, being also along the south-easterly boundary of the Township of Pardee, a distance of 5.15 miles, more or less, to the intersection of that boundary with the high water-mark on the northerly shore of the Pigeon River;

Thence in a general easterly direction along the high-water mark of the northerly shore of the Pigeon River and of Lake Superior a distance of thirteen miles, more or less, to the point of commencement:

Reserving free access to the shore of Pigeon Bay and River for all vessels, boats and persons;

And Subject to the further reservation and condition that any roads deemed necessary may be, under the authority and direction of the Executive Government, laid out, opened and dedicated to and for use of Her Majesty's Subjects over and across the lands hereby granted.

An Act respecting the
Municipality of Neebing

1st Reading

February 11th, 1960

2nd Reading

February 26th, 1960

3rd Reading

March 1st, 1960

MR. NODEN

1960

BILL Pr28

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting The Blind River- Elliot Lake High School District Board

MR. FULLERTON

(PRIVATE BILL)

**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY**



BILL Pr28

1960

An Act respecting The Blind River- Elliot Lake High School District Board

WHEREAS The Blind River-Elliot Lake High School District Board, herein called the School Board, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding the provisions of any general or special Act, the School Board shall be deemed to have had power, Authoriza-
tion of
under-
takings
and
debentures
- (a) to grade and level a portion of the school site appurtenant to the high school operated by the School Board in the Improvement District of Elliot Lake at an expenditure of \$32,500;
 - (b) to purchase certain filing cabinets and equipment therefor for such high school at an expenditure of \$1,082.26;
 - (c) to purchase sixty desks for such high school at an expenditure of \$1,194.87; and
 - (d) to purchase certain lockers and locker equipment for such high school at an expenditure of \$1,773,

and The Corporation of the Improvement District of Elliot Lake may pass a by-law providing for the issue of debentures repayable over a period not exceeding five years in the aggregate principal amount of \$38,000 for the purpose of the said undertakings, and all sums required to pay off the debentures and to pay interest thereon and the expenses connected therewith shall be raised in the manner provided by *The 1954, c. 87
Secondary Schools and Boards of Education Act, 1954.*

Municipal
Board
approval
deemed to
have been
given
1954, c. 87;
R.S.O. 1950,
c. 262

2. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order pursuant to section 29 of *The Secondary Schools and Boards of Education Act, 1954* and pursuant to section 67 of *The Ontario Municipal Board Act* authorizing the School Board to proceed with the said undertakings with respect to which the debentures are required and authorizing The Corporation of the Improvement District of Elliot Lake to pass the debenture by-law referred to in section 1.

Application
of
R.S.O. 1950,
c. 262,
ss. 61-64

3. Sections 61, 62, 63 and 64 of *The Ontario Municipal Board Act* apply in respect of the debenture by-law referred to in section 1 and the debentures to be issued thereunder.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Blind River-Elliot Lake High School District Board Act, 1960*.

An Act respecting the
Blind River-Elliott Lake High
School District Board

1st Reading

2nd Reading

3rd Reading

MR. FULLERTON

(Private Bill)

BILL Pr28

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

**An Act respecting The Blind River-
Elliot Lake High School District Board**

MR. FULLERTON

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr28

1960

An Act respecting The Blind River- Elliot Lake High School District Board

WHEREAS The Blind River-Elliot Lake High School District Board, herein called the School Board, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding the provisions of any general or special Act, the School Board shall be deemed to have had power,

Preamble
Authorization of
under-
takings
and
debentures

- (a) to grade and level a portion of the school site appurtenant to the high school operated by the School Board in the Improvement District of Elliot Lake at an expenditure of \$32,500;
- (b) to purchase certain filing cabinets and equipment therefor for such high school at an expenditure of \$1,082.26;
- (c) to purchase sixty desks for such high school at an expenditure of \$1,194.87; and
- (d) to purchase certain lockers and locker equipment for such high school at an expenditure of \$1,773,

and The Corporation of the Improvement District of Elliot Lake may pass a by-law providing for the issue of debentures repayable over a period not exceeding five years in the aggregate principal amount of \$38,000 for the purpose of the said undertakings, and all sums required to pay off the debentures and to pay interest thereon and the expenses connected therewith shall be raised in the manner provided by *The 1954, c. 87 Secondary Schools and Boards of Education Act, 1954.*

Municipal
Board
approva
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1954, c. 87;
R.S.O. 1950,
c. 262

2. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order pursuant to section 29 of *The Secondary Schools and Boards of Education Act, 1954* and pursuant to section 67 of *The Ontario Municipal Board Act* authorizing the School Board to proceed with the said undertakings with respect to which the debentures are required and authorizing The Corporation of the Improvement District of Elliot Lake to pass the debenture by-law referred to in section 1.

Application
of
R.S.O. 1950,
c. 262,
ss. 61-64

3. Sections 61, 62, 63 and 64 of *The Ontario Municipal Board Act* apply in respect of the debenture by-law referred to in section 1 and the debentures to be issued thereunder.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Blind River-Elliot Lake High School District Board Act, 1960*.

AN ACT RESPECTING THE
Blind River-Elliott Lake High
School District Board

1st Reading

February 11th, 1960

2nd Reading

March 7th, 1960

3rd Reading

March 10th, 1960

MR. FULLERTON

1960

BILL Pr29

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Ottawa

MR. HASKETT

(PRIVATE BILL)

**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY**

BILL Pr29

1960

An Act respecting the City of Ottawa

WHEREAS The Corporation of the City of Ottawa, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *b* of subsection 1 of section 1 of *The City of Ottawa Act, 1959* is amended by adding at the end thereof ^{1959, c. 125, s. 1, subs. 1, cl. b, amended} "and 1960", so that the clause shall read as follows:

- (b) provide for fixed annual payments by the Commission to the Corporation in respect of debentures to be issued by the Corporation for the purposes of the Commission in 1959 and 1960.

(2) Clause *c* of subsection 1 of the said section 1 is amended ^{1959, c. 125, s. 1, subs. 1, cl. c, amended} by adding at the end thereof "and the deficit of the Commission for 1959, estimated at \$490,000", so that the clause shall read as follows:

- (c) pay to the Commission out of the general revenues of the Corporation the amount required to meet in whole or in part the deficit of the Commission, as at the 31st day of December, 1957, amounting to \$289,595.24, and the deficit of the Commission for 1958, estimated at \$610,000, and the deficit of the Commission for 1959, estimated at \$490,000.

2. Notwithstanding the provisions of subsection 2 of section 422 of *The Municipal Act*, the council of the Corporation may ^{Expenditures for publicity R.S.O. 1950, c. 243} expend in any year an amount not exceeding \$100,000 for the purpose of paying any expenses of its Industrial Commission and of its Tourist and Convention Bureau and for the

purpose of diffusing information respecting the advantages of the City of Ottawa as an industrial, business, educational, residential or vacation centre.

Pedestrian
promenades
R.S.O. 1950,
c. 243

3.—(1) Notwithstanding the provisions of *The Municipal Act*, the council of the Corporation may, subject to subsection 2, pass by-laws for establishing all or any part of any highway in the municipality solely or principally as a pedestrian promenade and for prohibiting the use thereof by vehicles or any class thereof except to such extent or for such period or periods of every day or of any day or days of the week as may be specified in the by-law, and for permitting the obstruction of the promenade in such manner and to such extent as the council may deem desirable.

Approval

(2) No by-law passed under subsection 1 and no by-law that amends or repeals any such by-law shall come into force without the approval of the Minister of Transport.

Right to
damages
by reason
of creation
of
promenade

R.S.O. 1950,
c. 24,

(3) Notwithstanding the provisions of any general or special Act, no person shall be entitled to recover any damages or compensation from the Corporation for loss of business or for loss of access to or from any highway or for any injurious affection to land, as defined in *The Assessment Act*, arising from the exercise by the Corporation of its powers under this section.

Sinking
funds

4.—(1) In this section,

- (a) "Committee" means the sinking fund committee;
- (b) "money by-law" means a by-law for contracting a debt or obligation or for borrowing money, other than a by-law passed under section 341 of *The Municipal Act*.

Idem

(2) Notwithstanding the provisions of any general or special Act,

- (a) the council of the Corporation may provide in any money by-law that the principal shall be repaid at a fixed date with interest payable annually or semi-annually, in which case the debentures issued under the by-law shall be known as sinking fund debentures;
- (b) when sinking fund debentures are issued, the amount of principal to be raised in each year shall be a specific sum that, with the estimated interest at a rate not exceeding 4 per cent per annum, capitalized yearly, will be sufficient to pay the principal of the debentures as it becomes due;

- (c) when sinking fund debentures are issued, there shall be a sinking fund committee composed of the treasurer of the Corporation and two members appointed by the council of the Corporation, with the approval of the Lieutenant Governor in Council, and the two appointed members may be paid out of the current funds of the Corporation such annual or other remuneration as the council of the Corporation may, with the approval of the Lieutenant Governor in Council, determine;
- (d) the two appointed members of the Committee may at any time be removed by the Lieutenant Governor in Council or by the council of the Corporation with the approval of the Lieutenant Governor in Council;
- (e) the treasurer of the Corporation shall be the chairman and treasurer of the Committee and, in his absence, the appointed members may appoint one of themselves as acting chairman;
- (f) each member of the Committee shall, before entering into the duties of his office, give security for the faithful performance of his duties and for duly accounting for and paying over all moneys and securities that come into his hands, in such amount as the auditors of the Corporation shall determine, and in other respects the provisions of section 251 of *The Municipal Act* apply with respect to such security; R.S.O. 1950,
c. 243
- (g) the Committee shall keep one or more consolidated bank accounts in which,
 - (i) the treasurer of the Corporation shall deposit each year during the term of the debentures the moneys raised for the sinking funds of all debts that are to be paid by means of sinking funds, and
 - (ii) there shall be deposited all earnings derived from, and all proceeds of the sale or maturity or redemption prior to maturity of, sinking fund investments;
- (h) two members of the Committee shall be a quorum and all investments and sales of investments must be approved by the treasurer of the Corporation and one other member of the Committee;

- (i) all assets of the sinking funds, including all consolidated bank accounts, shall be under the sole control and management of the treasurer of the Committee who shall report thereon to the board of control and council of the Corporation at least annually;
- (j) all withdrawals from the consolidated bank accounts shall be authorized by the Committee and all cheques on the consolidated bank accounts shall be signed by the treasurer and mayor of the Corporation;
- (k) the Committee shall invest any moneys on deposit from time to time in the consolidated bank accounts and may at any time or times vary any investment;
- (l) the moneys in the consolidated bank accounts shall be invested in debentures of the Corporation or other securities in which a trustee may invest under the provisions of *The Trustee Act* or in securities issued by the United States of America;
- (m) all securities acquired by the Committee as investments for sinking fund purposes shall be deposited for safekeeping in a chartered bank or trust company until they are sold or mature or are called for redemption prior to maturity;
- (n) all sinking fund debentures issued on the same date, maturing on the same date and payable in the same currency, notwithstanding that they are issued under one or more by-laws, shall be represented by one sinking fund account;
- (o) where there is more than one sinking fund debenture by-law outstanding, the earnings from sinking fund investments in each year shall be apportioned by the Committee among all the sinking funds in the proportion that the increase during that year in the accumulated interest as provided for in clause *b* on the specific amount required to be deposited annually during the currency of each sinking fund debenture by-law bears to the total of all the increases during that year in the accumulated interest as provided for in clause *b* on all the specific amounts required to be deposited annually during the currency of all outstanding sinking fund debenture by-laws;
- (p) where the office of the treasurer of the Corporation is vacant or the treasurer is absent or is unable to carry on his duties through illness or otherwise, the

R.S.O. 1950,
c. 400

deputy treasurer of the Corporation shall act in his stead and when so acting has all the powers and duties of the treasurer as a member and as treasurer of the Committee.

5. The council of the Corporation may pass by-laws,

By-laws
regulating
explosives

(a) for prohibiting,

- (i) the manufacture of any explosive within the municipality or any defined area thereof other than such kinds and quantities as may be prescribed in the by-law,
- (ii) the transporting, storing, keeping, having or using of any explosive in the municipality other than such kinds and quantities as may be prescribed in the by-law, and
- (iii) the transporting, storing, keeping, having or using of any explosive in the municipality without a licence;

(b) for,

- (i) examining, licensing, regulating and governing persons who transport, store, keep, have or use any explosive in the municipality,
- (ii) prescribing the terms and conditions under which and the manner in which any explosive may be transported, stored, kept, had or used in the municipality, and
- (iii) requiring permits to be obtained from the Director of Planning and Works of the Corporation for the storage and use of any explosive and for its transportation to, and handling and temporary storage at, the site of its proposed use.

6. This Act comes into force on the day it receives Royal Assent. Commence-
ment

7. This Act may be cited as *The City of Ottawa Act, 1960*. Short title

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. HASKETT

(*Private Bill*)

BILL Pr29

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the City of Ottawa

MR. HASKETT

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr29

1960

An Act respecting the City of Ottawa

WHEREAS The Corporation of the City of Ottawa, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *b* of subsection 1 of section 1 of *The City of Ottawa Act, 1959* is amended by adding at the end thereof ^{1959, c. 125, s. 1, subs. 1, cl. *b*, amended} "and 1960", so that the clause shall read as follows:

- (*b*) provide for fixed annual payments by the Commission to the Corporation in respect of debentures to be issued by the Corporation for the purposes of the Commission in 1959 and 1960.

(2) Clause *c* of subsection 1 of the said section 1 is amended ^{1959, c. 125, s. 1, subs. 1, cl. *c*, amended} by adding at the end thereof "and the deficit of the Commission for 1959, estimated at \$490,000", so that the clause shall read as follows:

- (*c*) pay to the Commission out of the general revenues of the Corporation the amount required to meet in whole or in part the deficit of the Commission, as at the 31st day of December, 1957, amounting to \$289,595.24, and the deficit of the Commission for 1958, estimated at \$610,000, and the deficit of the Commission for 1959, estimated at \$490,000.

2. Notwithstanding the provisions of subsection 2 of section 422 of *The Municipal Act*, the council of the Corporation may ^{Expenditures for publicity R.S.O. 1950, c. 243} expend in any year an amount not exceeding \$100,000 for the purpose of paying any expenses of its Industrial Commission and of its Tourist and Convention Bureau and for the

purpose of diffusing information respecting the advantages of the City of Ottawa as an industrial, business, educational, residential or vacation centre.

Pedestrian
promenades
R.S.O. 1950,
c. 243

3.—(1) Notwithstanding the provisions of *The Municipal Act*, the council of the Corporation may, subject to subsection 2, pass by-laws for establishing all or any part of any highway in the municipality solely or principally as a pedestrian promenade and for prohibiting the use thereof by vehicles or any class thereof except to such extent or for such period or periods of every day or of any day or days of the week as may be specified in the by-law, and for permitting the obstruction of the promenade in such manner and to such extent as the council may deem desirable.

Approval

(2) No by-law passed under subsection 1 and no by-law that amends or repeals any such by-law shall come into force without the approval of the Minister of Transport.

Right to
damages
by reason
of creation
of
promenade

R.S.O. 1950,
c. 24

(3) Notwithstanding the provisions of any general or special Act, no person shall be entitled to recover any damages or compensation from the Corporation for loss of business or for loss of access to or from any highway or for any injurious affection to land, as defined in *The Assessment Act*, arising from the exercise by the Corporation of its powers under this section.

Sinking
funds

4.—(1) In this section,

- (a) "Committee" means the sinking fund committee;
- (b) "money by-law" means a by-law for contracting a debt or obligation or for borrowing money, other than a by-law passed under section 341 of *The Municipal Act*.

Idem

(2) Notwithstanding the provisions of any general or special Act,

- (a) the council of the Corporation may provide in any money by-law that the principal shall be repaid at a fixed date with interest payable annually or semi-annually, in which case the debentures issued under the by-law shall be known as sinking fund debentures;
- (b) when sinking fund debentures are issued, the amount of principal to be raised in each year shall be a specific sum that, with the estimated interest at a rate not exceeding $3\frac{1}{2}$ per cent per annum, capitalized yearly, will be sufficient to pay the principal of the debentures as it becomes due;

- (c) when sinking fund debentures are issued, there shall be a sinking fund committee composed of the treasurer of the Corporation and two members appointed by the council of the Corporation, with the approval of the Lieutenant Governor in Council, and the two appointed members may be paid out of the current funds of the Corporation such annual or other remuneration as the council of the Corporation may, with the approval of the Lieutenant Governor in Council, determine;
- (d) the two appointed members of the Committee may at any time be removed by the Lieutenant Governor in Council or by the council of the Corporation with the approval of the Lieutenant Governor in Council;
- (e) the treasurer of the Corporation shall be the chairman and treasurer of the Committee and, in his absence, the appointed members may appoint one of themselves as acting chairman;
- (f) each member of the Committee shall, before entering into the duties of his office, give security for the faithful performance of his duties and for duly accounting for and paying over all moneys and securities that come into his hands, in such amount as the auditors of the Corporation shall determine, and in other respects the provisions of section 251 of *The Municipal Act* apply with respect to such security; R.S.O. 1950,
c. 243
- (g) the Committee shall keep one or more consolidated bank accounts in which,
 - (i) the treasurer of the Corporation shall deposit each year during the term of the debentures the moneys raised for the sinking funds of all debts that are to be paid by means of sinking funds, and
 - (ii) there shall be deposited all earnings derived from, and all proceeds of the sale or maturity or redemption prior to maturity of, sinking fund investments;
- (h) two members of the Committee shall be a quorum and all investments and sales of investments must be approved by the treasurer of the Corporation and one other member of the Committee;

- (i) all assets of the sinking funds, including all consolidated bank accounts, shall be under the sole control and management of the treasurer of the Committee who shall report thereon to the board of control and council of the Corporation at least annually;
- (j) all withdrawals from the consolidated bank accounts shall be authorized by the Committee and all cheques on the consolidated bank accounts shall be signed by the treasurer and mayor of the Corporation;
- (k) the Committee shall invest any moneys on deposit from time to time in the consolidated bank accounts and may at any time or times vary any investment;
- (l) the moneys in the consolidated bank accounts shall be invested in debentures of the Corporation or other securities in which a trustee may invest under the provisions of *The Trustee Act* or in securities issued by the United States of America;
- (m) all securities acquired by the Committee as investments for sinking fund purposes shall be deposited for safekeeping in a chartered bank or trust company until they are sold or mature or are called for redemption prior to maturity;
- (n) all sinking fund debentures issued on the same date, maturing on the same date and payable in the same currency, notwithstanding that they are issued under one or more by-laws, shall be represented by one sinking fund account;
- (o) where there is more than one sinking fund debenture by-law outstanding, the earnings from sinking fund investments in each year shall be apportioned by the Committee among all the sinking funds in the proportion that the increase during that year in the accumulated interest as provided for in clause *b* on the specific amount required to be deposited annually during the currency of each sinking fund debenture by-law bears to the total of all the increases during that year in the accumulated interest as provided for in clause *b* on all the specific amounts required to be deposited annually during the currency of all outstanding sinking fund debenture by-laws;
- (p) where the office of the treasurer of the Corporation is vacant or the treasurer is absent or is unable to carry on his duties through illness or otherwise, the

R.S.O. 1950,
c.400

deputy treasurer of the Corporation shall act in his stead and when so acting has all the powers and duties of the treasurer as a member and as treasurer of the Committee.

5. The council of the Corporation may pass by-laws,

By-laws
regulating
explosives

(a) for prohibiting,

- (i) the manufacture of any explosive within the municipality or any defined area thereof other than such kinds and quantities as may be prescribed in the by-law,
- (ii) the transporting, storing, keeping, having or using of any explosive in the municipality other than such kinds and quantities as may be prescribed in the by-law, and
- (iii) the transporting, storing, keeping, having or using of any explosive in the municipality without a licence;

(b) for,

- (i) examining, licensing, regulating and governing persons who transport, store, keep, have or use any explosive in the municipality,
- (ii) prescribing the terms and conditions under which and the manner in which any explosive may be transported, stored, kept, had or used in the municipality, and
- (iii) requiring permits to be obtained from the Director of Planning and Works of the Corporation for the storage and use of any explosive and for its transportation to, and handling and temporary storage at, the site of its proposed use.

6. This Act comes into force on the day it receives Royal Assent. Commence-
ment

7. This Act may be cited as *The City of Ottawa Act, 1960*. Short title

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. HASKETT

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr29

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the City of Ottawa

MR. HASKETT

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr29

1960

An Act respecting the City of Ottawa

WHEREAS The Corporation of the City of Ottawa, Preamble
 herein called the Corporation, by its petition has
 prayed for special legislation in respect of the matters herein-
 after set forth; and whereas it is expedient to grant the prayer
 of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1.—(1) Clause *b* of subsection 1 of section 1 of *The City of Ottawa Act, 1959* is amended by adding at the end thereof 1959, c. 125,
s. 1, subs. 1,
cl. b.
amended "and 1960", so that the clause shall read as follows:

- (b) provide for fixed annual payments by the Commission to the Corporation in respect of debentures to be issued by the Corporation for the purposes of the Commission in 1959 and 1960.

(2) Clause *c* of subsection 1 of the said section 1 is amended 1959, c. 125,
s. 1, subs. 1,
cl. c.
amended by adding at the end thereof "and the deficit of the Commission for 1959, estimated at \$490,000", so that the clause shall read as follows:

- (c) pay to the Commission out of the general revenues of the Corporation the amount required to meet in whole or in part the deficit of the Commission, as at the 31st day of December, 1957, amounting to \$289,595.24, and the deficit of the Commission for 1958, estimated at \$610,000, and the deficit of the Commission for 1959, estimated at \$490,000.

2. Notwithstanding the provisions of subsection 2 of section 422 of *The Municipal Act*, the council of the Corporation may Expenditures
for
publicity
R.S.O. 1950,
c. 243 expend in any year an amount not exceeding \$100,000 for the purpose of paying any expenses of its Industrial Commission and of its Tourist and Convention Bureau and for the

purpose of diffusing information respecting the advantages of the City of Ottawa as an industrial, business, educational, residential or vacation centre.

Pedestrian
promenades
R.S.O. 1950,
c. 243

3.—(1) Notwithstanding the provisions of *The Municipal Act*, the council of the Corporation may, subject to subsection 2, pass by-laws for establishing all or any part of any highway in the municipality solely or principally as a pedestrian promenade and for prohibiting the use thereof by vehicles or any class thereof except to such extent or for such period or periods of every day or of any day or days of the week as may be specified in the by-law, and for permitting the obstruction of the promenade in such manner and to such extent as the council may deem desirable.

Approval

(2) No by-law passed under subsection 1 and no by-law that amends or repeals any such by-law shall come into force without the approval of the Minister of Transport.

Right to
damages
by reason
of creation
of
promenade

R.S.O. 1950,
c. 24

(3) Notwithstanding the provisions of any general or special Act, no person shall be entitled to recover any damages or compensation from the Corporation for loss of business or for loss of access to or from any highway or for any injurious affection to land, as defined in *The Assessment Act*, arising from the exercise by the Corporation of its powers under this section.

Sinking
funds

4.—(1) In this section,

- (a) "Committee" means the sinking fund committee;
- (b) "money by-law" means a by-law for contracting a debt or obligation or for borrowing money, other than a by-law passed under section 341 of *The Municipal Act*.

Idem

(2) Notwithstanding the provisions of any general or special Act,

- (a) the council of the Corporation may provide in any money by-law that the principal shall be repaid at a fixed date with interest payable annually or semi-annually, in which case the debentures issued under the by-law shall be known as sinking fund debentures;
- (b) when sinking fund debentures are issued, the amount of principal to be raised in each year shall be a specific sum that, with the estimated interest at a rate not exceeding $3\frac{1}{2}$ per cent per annum, capitalized yearly, will be sufficient to pay the principal of the debentures as it becomes due;

- (c) when sinking fund debentures are issued, there shall be a sinking fund committee composed of the treasurer of the Corporation and two members appointed by the council of the Corporation, with the approval of the Lieutenant Governor in Council, and the two appointed members may be paid out of the current funds of the Corporation such annual or other remuneration as the council of the Corporation may, with the approval of the Lieutenant Governor in Council, determine;
- (d) the two appointed members of the Committee may at any time be removed by the Lieutenant Governor in Council or by the council of the Corporation with the approval of the Lieutenant Governor in Council;
- (e) the treasurer of the Corporation shall be the chairman and treasurer of the Committee and, in his absence, the appointed members may appoint one of themselves as acting chairman;
- (f) each member of the Committee shall, before entering into the duties of his office, give security for the faithful performance of his duties and for duly accounting for and paying over all moneys and securities that come into his hands, in such amount as the auditors of the Corporation shall determine, and in other respects the provisions of section 251 of *The Municipal Act* apply with respect to such security; R.S.O. 1950.
c. 243
- (g) the Committee shall keep one or more consolidated bank accounts in which,
 - (i) the treasurer of the Corporation shall deposit each year during the term of the debentures the moneys raised for the sinking funds of all debts that are to be paid by means of sinking funds, and
 - (ii) there shall be deposited all earnings derived from, and all proceeds of the sale or maturity or redemption prior to maturity of, sinking fund investments;
- (h) two members of the Committee shall be a quorum and all investments and sales of investments must be approved by the treasurer of the Corporation and one other member of the Committee;

- (i) all assets of the sinking funds, including all consolidated bank accounts, shall be under the sole control and management of the treasurer of the Committee who shall report thereon to the board of control and council of the Corporation at least annually;
- (j) all withdrawals from the consolidated bank accounts shall be authorized by the Committee and all cheques on the consolidated bank accounts shall be signed by the treasurer and mayor of the Corporation;
- (k) the Committee shall invest any moneys on deposit from time to time in the consolidated bank accounts and may at any time or times vary any investment;
- (l) the moneys in the consolidated bank accounts shall be invested in debentures of the Corporation or other securities in which a trustee may invest under the provisions of *The Trustee Act* or in securities issued by the United States of America;
- (m) all securities acquired by the Committee as investments for sinking fund purposes shall be deposited for safekeeping in a chartered bank or trust company until they are sold or mature or are called for redemption prior to maturity;
- (n) all sinking fund debentures issued on the same date, maturing on the same date and payable in the same currency, notwithstanding that they are issued under one or more by-laws, shall be represented by one sinking fund account;
- (o) where there is more than one sinking fund debenture by-law outstanding, the earnings from sinking fund investments in each year shall be apportioned by the Committee among all the sinking funds in the proportion that the increase during that year in the accumulated interest as provided for in clause *b* on the specific amount required to be deposited annually during the currency of each sinking fund debenture by-law bears to the total of all the increases during that year in the accumulated interest as provided for in clause *b* on all the specific amounts required to be deposited annually during the currency of all outstanding sinking fund debenture by-laws;
- (p) where the office of the treasurer of the Corporation is vacant or the treasurer is absent or is unable to carry on his duties through illness or otherwise, the

R.S.O. 1950,
c. 400

deputy treasurer of the Corporation shall act in his stead and when so acting has all the powers and duties of the treasurer as a member and as treasurer of the Committee.

5. The council of the Corporation may pass by-laws,

By-laws
regulating
explosives

(a) for prohibiting,

- (i) the manufacture of any explosive within the municipality or any defined area thereof other than such kinds and quantities as may be prescribed in the by-law,
- (ii) the transporting, storing, keeping, having or using of any explosive in the municipality other than such kinds and quantities as may be prescribed in the by-law, and
- (iii) the transporting, storing, keeping, having or using of any explosive in the municipality without a licence;

(b) for,

- (i) examining, licensing, regulating and governing persons who transport, store, keep, have or use any explosive in the municipality,
- (ii) prescribing the terms and conditions under which and the manner in which any explosive may be transported, stored, kept, had or used in the municipality, and
- (iii) requiring permits to be obtained from the Director of Planning and Works of the Corporation for the storage and use of any explosive and for its transportation to, and handling and temporary storage at, the site of its proposed use.

6. This Act comes into force on the day it receives Royal Assent. Commence-
ment

7. This Act may be cited as *The City of Ottawa Act, 1960*. Short title

1st Reading

February 11th, 1960

2nd Reading

February 26th, 1960

3rd Reading

March 3rd, 1960

Mr. HASKETT

BILL Pr30

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Windsor Board of Education and the Windsor Suburban High School District

MR. BELANGER

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr30

1960

**An Act respecting the
Windsor Board of Education and the
Windsor Suburban High School District**

WHEREAS The Board of Education for the City of Windsor and The Windsor Suburban District High School Board by their petition have prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** The Agreement between The Windsor Suburban District High School Board and The Board of Education for the City of Windsor, dated the 28th day of December, 1959, set forth as the Schedule hereto, is declared to be legal, valid and binding upon both Boards and both Boards are hereby empowered to carry out all their respective obligations that might arise thereunder. Agreement validated
- 2.** The Agreement may be amended by mutual consent of both Boards only with the approval and consent of the Minister of Education. Amendment of Agreement
- 3.** Nothing in this Act reduces the total amount of special and general legislative grants payable to or on behalf of The Windsor Suburban District High School Board below the amount that would have been paid had this Act not been passed. Effect of Act on grants
- 4.** This Act comes into force on the day it receives Royal Assent. Commencement
- 5.** This Act may be cited as *The Windsor and Suburban Secondary Schools Act, 1960*. Short title

SCHEDULE

THIS AGREEMENT made in duplicate this 28th day of December, 1959.

BETWEEN:

THE WINDSOR SUBURBAN DISTRICT HIGH SCHOOL BOARD,
hereinafter called the "Suburban Board",

OF THE FIRST PART,

—and—

THE BOARD OF EDUCATION FOR THE CITY OF WINDSOR,
hereinafter called the "Windsor Board",

OF THE SECOND PART.

WHEREAS BY INDENTURE dated the 17th day of December, 1956, the parties hereto agreed that a maximum of 700 secondary school students may be withdrawn by the Suburban Board from secondary schools of the Windsor Board to be accommodated in a secondary school financed and constructed by the Suburban Board;

AND WHEREAS the Suburban Board is planning to erect a secondary school situate in the Township of Sandwich West, in the County of Essex, which with its fixtures, equipment and site is hereinafter referred to as the "Sandwich West School";

AND WHEREAS the Suburban Board has requested the Windsor Board to operate the Sandwich West School in the same manner in which it operates its own secondary schools in the City of Windsor;

AND WHEREAS the Windsor Board has agreed to do so upon the terms and conditions hereinafter contained;

WITNESSETH that in consideration of the premises and the terms and conditions hereinafter contained the parties hereto mutually agree as follows:

1. The lands upon which the Sandwich West School is to be erected and the buildings constructed upon such lands by the Suburban Board and any furniture and equipment purchased by the Suburban Board in connection with such Sandwich West School shall be and remain vested in and be the property of the Suburban Board.

2. The Suburban Board agrees to erect the Sandwich West School in accordance with the plans and specifications which it has prepared and has had approved by the Minister of Education and of which a copy has been filed with the Windsor Board, and to supply and instal such furniture, equipment and services as are necessary for proper operation and uniform in quality, quantity and kind with those in Windsor secondary schools, and to fence, landscape and prepare the school site suitably, so that such school will be ready to open on the first school day in September, 1960.

3. Upon completion of the Sandwich West School as aforesaid, the Windsor Board shall staff, operate and maintain it and, except as otherwise provided in this agreement, shall do so in accordance with the standard policies of the Windsor Board in respect of its secondary schools in the City of Windsor as if the Sandwich West School were under the jurisdiction of the Windsor Board.

4. The Windsor Board shall pay the current operation expenses of the Sandwich West School, including the provision of staff and necessary supplies, the payment for heating and hydro, water and telephone services, and the carrying of insurance against damage, loss and public liability.

The Suburban Board shall be so named in the policy or policies of insurance that it is adequately indemnified against any loss. It is agreed that the Windsor Board shall not pay any expenses in connection with the transportation of any pupils to the Sandwich West School or any taxes, assessments, local improvement rates, sewage charges or other rates or charges of any kind whatsoever which may be imposed directly or indirectly by the municipality in which the Sandwich West School is situate.

5. The maintenance of the Sandwich West School by the Windsor Board shall be so as to keep it in repair and in good condition as required through normal wear and tear, including all buildings, the site, furniture and equipment, and shall include the replacement of furniture and equipment as required through normal wear and tear; provided that no structural changes shall be made by the Windsor Board without the consent of the Suburban Board.

6. The Suburban Board shall maintain the Sandwich West School financially by paying to the Windsor Board the cost of education of such pupils under the Suburban Board's jurisdiction as attend such school. Such cost is to be paid in estimated monthly instalments during each current year and shall be calculated pursuant to subsection 2 of section 69 of *The Secondary Schools and Boards of Education Act, 1954* (as if this were an agreement under subsection 2 of section 28 of such Act) except that in computing the total gross current expenditures for the calendar year, capital expenditures out of current funds together with payment for principal and interest on debentures in respect of Windsor schools owned by the Windsor Board shall not be included.

7. The Windsor Board and the Suburban Board shall discuss jointly on or before the 15th day of February in each year the allocation of pupils to the Sandwich West School and the Suburban Board shall in accordance with such allocation set the boundaries for the Sandwich West School and report the same to the Windsor Board on or before the 15th day of April in each year. Such boundaries shall be thereupon fixed and not changed without the consent in writing of both Boards. Subsection 2 and Subsection 3 (a) of Section 67 of *The Secondary Schools and Boards of Education Act, 1954* shall not apply to the allocation of students to the Sandwich West School.

8. The Suburban Board and the Windsor Board shall meet in joint session on the first Wednesday in February and on the third Wednesdays of May and October in each year to discuss matters arising out of this agreement.

9. The Suburban Board agrees that upon either Board giving notice of termination of this agreement as hereinafter provided, it shall undertake to engage on the then existing employment terms any members of the teaching and maintenance staff employed by the Windsor Board at the Sandwich West School at the date of the giving of the notice who wish to continue at such school after the expiration of this agreement.

10. Both Boards agree that in the finishing and equipping of the Sandwich West School and in the planning, acquisition and equipping of any additional accommodation in connection therewith, the equipment and facilities provided shall be such as to permit uniformity of operation and maintenance with those of Windsor secondary schools.

11. All applications for rentals of the Sandwich West School shall be first submitted to the Suburban Board for approval. If approved, applications shall then be presented to the Windsor Board and the general policies, regulations and rates of the Windsor Board as to granting of applications and as to administration of rentals in secondary schools shall apply. The Windsor Board shall administer the rentals in all respects and shall retain any rental money received.

12. Unless terminated by mutual consent, this agreement shall remain in force until the 30th day of June, 1964, and will expire on such date if either Board has given notice of intention to terminate in writing to the other Board on or before the 30th day of June, 1963. If no such notice

of intention to terminate has been given, this agreement shall continue in full force and effect from year to year thereafter, provided that one Board may on or before the 30th day of June in any year subsequent to 1963 give written notice to the other Board of its intention to terminate on the 30th day of June in the year following, whereupon this agreement shall expire upon the 30th day of June in such year following receipt of such notice.

13. This agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors.

14. The both Boards shall co-operate in taking the necessary steps to obtain a private Bill of the Legislative Assembly of the Province of Ontario validating this agreement and allowing amendments with the approval of The Minister of Education, with all costs to be borne by the Suburban Board.

IN WITNESS WHEREOF the parties hereto have hereunto set their corporate seals attested to by their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED

F. HODGES

F. HODGES

F. HODGES

F. HODGES

THE WINDSOR SUBURBAN DISTRICT
HIGH SCHOOL BOARD:

Per: DONALD R. MACDONALD,
Chairman.

W. V. BOUTELLER,
Secretary.

THE BOARD OF EDUCATION FOR THE
CITY OF WINDSOR:

Per: H. D. TAYLOR,
Chairman.

T. C. WHITE,
Secretary.

1st Reading

2nd Reading

3rd Reading

MR. BELANGER

(Private Bill)

BILL Pr30

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Windsor Board of Education and the Windsor Suburban High School District

MR. BELANGER

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr30

1960

**An Act respecting the
Windsor Board of Education and the
Windsor Suburban High School District**

WHEREAS The Board of Education for the City of Windsor and The Windsor Suburban District High School Board by their petition have prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Agreement between The Windsor Suburban District High School Board and The Board of Education for the City of Windsor, dated the 28th day of December, 1959, set forth as the Schedule hereto, is declared to be legal, valid and binding upon both Boards and both Boards are hereby empowered to carry out all their respective obligations that might arise thereunder.

Agreement
validated

2. The Agreement may be amended by mutual consent of both Boards only with the approval and consent of the Minister of Education.

Amendment
of
Agreement

3. Nothing in this Act reduces the total amount of special and general legislative grants payable to or on behalf of The Windsor Suburban District High School Board below the amount that would have been paid had this Act not been passed.

Effect of
Act on
grants

4. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

5. This Act may be cited as *The Windsor and Suburban Secondary Schools Act, 1960*.

Short title

SCHEDULE

THIS AGREEMENT made in duplicate this 28th day of December, 1959.

BETWEEN:

THE WINDSOR SUBURBAN DISTRICT HIGH SCHOOL BOARD,
hereinafter called the "Suburban Board",

OF THE FIRST PART,

—and—

THE BOARD OF EDUCATION FOR THE CITY OF WINDSOR,
hereinafter called the "Windsor Board",

OF THE SECOND PART.

WHEREAS BY INDENTURE dated the 17th day of December, 1956, the parties hereto agreed that a maximum of 700 secondary school students may be withdrawn by the Suburban Board from secondary schools of the Windsor Board to be accommodated in a secondary school financed and constructed by the Suburban Board;

AND WHEREAS the Suburban Board is planning to erect a secondary school situate in the Township of Sandwich West, in the County of Essex, which with its fixtures, equipment and site is hereinafter referred to as the "Sandwich West School";

AND WHEREAS the Suburban Board has requested the Windsor Board to operate the Sandwich West School in the same manner in which it operates its own secondary schools in the City of Windsor;

AND WHEREAS the Windsor Board has agreed to do so upon the terms and conditions hereinafter contained;

WITNESSETH that in consideration of the premises and the terms and conditions hereinafter contained the parties hereto mutually agree as follows:

1. The lands upon which the Sandwich West School is to be erected and the buildings constructed upon such lands by the Suburban Board and any furniture and equipment purchased by the Suburban Board in connection with such Sandwich West School shall be and remain vested in and be the property of the Suburban Board.

2. The Suburban Board agrees to erect the Sandwich West School in accordance with the plans and specifications which it has prepared and has had approved by the Minister of Education and of which a copy has been filed with the Windsor Board, and to supply and instal such furniture, equipment and services as are necessary for proper operation and uniform in quality, quantity and kind with those in Windsor secondary schools, and to fence, landscape and prepare the school site suitably, so that such school will be ready to open on the first school day in September, 1960.

3. Upon completion of the Sandwich West School as aforesaid, the Windsor Board shall staff, operate and maintain it and, except as otherwise provided in this agreement, shall do so in accordance with the standard policies of the Windsor Board in respect of its secondary schools in the City of Windsor as if the Sandwich West School were under the jurisdiction of the Windsor Board.

4. The Windsor Board shall pay the current operation expenses of the Sandwich West School, including the provision of staff and necessary supplies, the payment for heating and hydro, water and telephone services, and the carrying of insurance against damage, loss and public liability.



ONTARIO

The Suburban Board shall be so named in the policy or policies of insurance that it is adequately indemnified against any loss. It is agreed that the Windsor Board shall not pay any expenses in connection with the transportation of any pupils to the Sandwich West School or any taxes, assessments, local improvement rates, sewage charges or other rates or charges of any kind whatsoever which may be imposed directly or indirectly by the municipality in which the Sandwich West School is situate.

5. The maintenance of the Sandwich West School by the Windsor Board shall be so as to keep it in repair and in good condition as required through normal wear and tear, including all buildings, the site, furniture and equipment, and shall include the replacement of furniture and equipment as required through normal wear and tear; provided that no structural changes shall be made by the Windsor Board without the consent of the Suburban Board.

6. The Suburban Board shall maintain the Sandwich West School financially by paying to the Windsor Board the cost of education of such pupils under the Suburban Board's jurisdiction as attend such school. Such cost is to be paid in estimated monthly instalments during each current year and shall be calculated pursuant to subsection 2 of section 69 of *The Secondary Schools and Boards of Education Act, 1954* (as if this were an agreement under subsection 2 of section 28 of such Act) except that in computing the total gross current expenditures for the calendar year, capital expenditures out of current funds together with payment for principal and interest on debentures in respect of Windsor schools owned by the Windsor Board shall not be included.

7. The Windsor Board and the Suburban Board shall discuss jointly on or before the 15th day of February in each year the allocation of pupils to the Sandwich West School and the Suburban Board shall in accordance with such allocation set the boundaries for the Sandwich West School and report the same to the Windsor Board on or before the 15th day of April in each year. Such boundaries shall be thereupon fixed and not changed without the consent in writing of both Boards. Subsection 2 and Subsection 3 (a) of Section 67 of *The Secondary Schools and Boards of Education Act, 1954* shall not apply to the allocation of students to the Sandwich West School.

8. The Suburban Board and the Windsor Board shall meet in joint session on the first Wednesday in February and on the third Wednesdays of May and October in each year to discuss matters arising out of this agreement.

9. The Suburban Board agrees that upon either Board giving notice of termination of this agreement as hereinafter provided, it shall undertake to engage on the then existing employment terms any members of the teaching and maintenance staff employed by the Windsor Board at the Sandwich West School at the date of the giving of the notice who wish to continue at such school after the expiration of this agreement.

10. Both Boards agree that in the finishing and equipping of the Sandwich West School and in the planning, acquisition and equipping of any additional accommodation in connection therewith, the equipment and facilities provided shall be such as to permit uniformity of operation and maintenance with those of Windsor secondary schools.

11. All applications for rentals of the Sandwich West School shall be first submitted to the Suburban Board for approval. If approved, applications shall then be presented to the Windsor Board and the general policies, regulations and rates of the Windsor Board as to granting of applications and as to administration of rentals in secondary schools shall apply. The Windsor Board shall administer the rentals in all respects and shall retain any rental money received.

12. Unless terminated by mutual consent, this agreement shall remain in force until the 30th day of June, 1964, and will expire on such date if either Board has given notice of intention to terminate in writing to the other Board on or before the 30th day of June, 1963. If no such notice

of intention to terminate has been given, this agreement shall continue in full force and effect from year to year thereafter, provided that one Board may on or before the 30th day of June in any year subsequent to 1963 give written notice to the other Board of its intention to terminate on the 30th day of June in the year following, whereupon this agreement shall expire upon the 30th day of June in such year following receipt of such notice.

13. This agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors.

14. The both Boards shall co-operate in taking the necessary steps to obtain a private Bill of the Legislative Assembly of the Province of Ontario validating this agreement and allowing amendments with the approval of The Minister of Education, with all costs to be borne by the Suburban Board.

IN WITNESS WHEREOF the parties hereto have hereunto set their corporate seals attested to by their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED

F. HODGES

F. HODGES

F. HODGES

F. HODGES

THE WINDSOR SUBURBAN DISTRICT
HIGH SCHOOL BOARD:

Per: DONALD R. MACDONALD,
Chairman.

W. V. BOUTELLER,
Secretary.

THE BOARD OF EDUCATION FOR THE
CITY OF WINDSOR:

Per: H. D. TAYLOR,
Chairman.

T. C. WHITE,
Secretary.

An Act respecting the Windsor Board of
Education and the Windsor Suburban
High School District

1st Reading

February 11th, 1960

2nd Reading

February 22nd, 1960

3rd Reading

February 26th, 1960

MR. BELANGER

BILL Pr31

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

**An Act respecting L'Association Canadienne
Francaise d'Education d'Ontario**

MR. LAVERGNE

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr31

1960

An Act respecting L'Association Canadienne Francaise d'Education d'Ontario

WHEREAS L'Association Canadienne Francaise d'Edu- Preamble
cation d'Ontario by its petition has represented that
it was incorporated as a corporation under *The Ontario Com-* 1912, c. 31
panies Act on the 24th day of September, 1913, and that the
Association owns the lands described in the Schedule hereto
and is using them, and proposes to use them, for educational
purposes and to promote the intellectual, moral and physical
welfare of its members; and whereas the petitioner has prayed
for special legislation exempting such lands and premises
from taxation for municipal and school purposes, other than
local improvement rates, so long as they are used for such
purposes, excepting that part of the building that is used as
residential quarters by the caretaker of the premises; and
whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Notwithstanding any special or general Act, The Cor- Tax
exemption
authorized
poration of the City of Ottawa may pass by-laws exempting
from taxes, other than local improvement rates, the lands
and premises owned by L'Association Canadienne Francaise
d'Education d'Ontario, described in the Schedule hereto,
provided such lands and premises are solely occupied by and
used for the purposes of L'Association Canadienne Francaise
d'Education d'Ontario and its affiliate associations, but not
if otherwise occupied or used, and in particular not if used as
residential quarters by the caretaker of the premises, and
any such by-law may provide that it shall have effect from
year to year unless repealed.

2. This Act shall be deemed to have come into force on the Commence-
ment
1st day of January, 1960.

3. This Act may be cited as *L'Association Canadienne* Short title
Francaise d'Education d'Ontario Act, 1960.

SCHEDULE

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Ottawa in the County of Carleton and Province of Ontario, and being composed of Lot No. Six (6) and the Northerly part of Lot No. Five (5) on the Easterly side of Wurtemberg Street in the said City of Ottawa according to a Plan prepared by J. S. Dennis, P.L.S., dated October 20th, 1859, and registered in the Registry Office for the City of Ottawa, which said parcels or tracts of land and premises may be more particularly known and described as follows:

COMMENCING at the North-west angle of Lot No. Six (6); Thence Southerly along the Easterly limit of Wurtemberg Street Two Hundred (200') feet more or less to where the Northerly Line of Heney Street produced intersects said Easterly line of Wurtemberg Street; Thence Easterly at right angle to Wurtemberg Street, One Hundred and Sixty (160') feet more or less to the Shore Line of the Rideau River; Thence Northerly following said Shore Line of the Rideau River, Two Hundred (200') feet more or less to the Northerly line of Lot No. Six (6); Thence Westerly following said Northerly line of Lot No. Six (6), One Hundred and Sixty (160') feet more or less to the place of beginning, together with the Riparian Rights on the Rideau River appurtenant to the said lands.

An Act respecting L'Association
Canadienne Française d'Education
d'Ontario

1st Reading

2nd Reading

3rd Reading

MR. LAVERGNE

(Private Bill)

BILL Pr31

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting L'Association Canadienne Francaise d'Education d'Ontario

MR. LAVERGNE

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

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1960

An Act respecting L'Association Canadienne Francaise d'Education d'Ontario

WHEREAS L'Association Canadienne Francaise d'Edu- Preamble
cation d'Ontario by its petition has represented that
it was incorporated as a corporation under *The Ontario Com-* 1912, c. 31
panies Act on the 24th day of September, 1913, and that the
Association owns the lands described in the Schedule hereto
and is using them, and proposes to use them, for educational
purposes and to promote the intellectual, moral and physical
welfare of its members; and whereas the petitioner has prayed
for special legislation exempting such lands and premises
from taxation for municipal and school purposes, other than
local improvement rates, so long as they are used for such
purposes, excepting that part of the building that is used as
residential quarters by the caretaker of the premises; and
whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Notwithstanding any special or general Act, The Cor- Tax
poration of the City of Ottawa may pass by-laws exempting exemption
from taxes, other than local improvement rates, the lands authorized
and premises owned by L'Association Canadienne Francaise
d'Education d'Ontario, described in the Schedule hereto,
provided such lands and premises are solely occupied by and
used for the purposes of L'Association Canadienne Francaise
d'Education d'Ontario and its affiliate associations, but not
if otherwise occupied or used, and in particular not if used as
residential quarters by the caretaker of the premises, and
any such by-law may provide that it shall have effect from
year to year unless repealed.

2. This Act shall be deemed to have come into force on the Commence-
1st day of January, 1960. ment

3. This Act may be cited as *L'Association Canadienne* Short title
Francaise d'Education d'Ontario Act, 1960.

SCHEDULE

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Ottawa in the County of Carleton and Province of Ontario, and being composed of Lot No. Six (6) and the Northerly part of Lot No. Five (5) on the Easterly side of Wurtemberg Street in the said City of Ottawa according to a Plan prepared by J. S. Dennis, P.L.S., dated October 20th, 1859, and registered in the Registry Office for the City of Ottawa, which said parcels or tracts of land and premises may be more particularly known and described as follows:

COMMENCING at the North-west angle of Lot No. Six (6); Thence Southerly along the Easterly limit of Wurtemberg Street Two Hundred (200') feet more or less to where the Northerly Line of Heney Street produced intersects said Easterly line of Wurtemberg Street; Thence Easterly at right angle to Wurtemberg Street, One Hundred and Sixty (160') feet more or less to the Shore Line of the Rideau River; Thence Northerly following said Shore Line of the Rideau River, Two Hundred (200') feet more or less to the Northerly line of Lot No. Six (6); Thence Westerly following said Northerly line of Lot No. Six (6), One Hundred and Sixty (160') feet more or less to the place of beginning, together with the Riparian Rights on the Rideau River appurtenant to the said lands.

1st Reading

February 11th, 1960

2nd Reading

February 22nd, 1960

3rd Reading

February 26th, 1960

MR. LAVERGNE

BILL Pr32

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Toronto

MR. GROSSMAN

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, Preamble
herein called the Corporation, by its petition has
prayed for special legislation in respect of the matters herein-
after set forth; and whereas it is expedient to grant the prayer
of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1.—(1) The zoning by-law of the City of Toronto, No. Zoning
by-law
validated
18642, passed on the 10th day of June, 1952, and all by-laws
amending that by-law passed between the 7th day of May,
1953, and the 27th day of March, 1958, are hereby validated
and shall be deemed to have been valid from the respective
dates of each of such by-laws in accordance with and to the
extent of the approval of such by-laws by the Ontario Muni-
cipal Board.

(2) Nothing in this section affects the rights acquired by Protection
of rights
acquired
any person from a judgment or order of any court prior to
the day on which this Act comes into force or affects any
litigation or proceedings pending on the 26th day of January,
1960.

2. The council of the Corporation may appoint a director Director of
a division,
Finance
Department
of a division in the Finance Department who shall have all
the powers and may perform all the duties of the treasurer
of the Corporation conferred by statute or by by-law or
resolution of the council.

3. Subsection 3 of section 3 of *The City of Toronto Act*, 1957, c. 157,
s. 3, subs. 3,
amended
1957 is amended by inserting after "Toronto" in the third
line "except such portions as may be designated by by-law
of the Metropolitan Council", so that the subsection shall
read as follows:

(3) This section does not apply to the portions of any Application
to
Metropolitan
Toronto and
provincial
highways
highways that are under the jurisdiction of the

Municipality of Metropolitan Toronto, except such portions as may be designated by by-law of the Metropolitan Council, or that are extensions or connecting links of the King's Highway.

1936, c. 84,
s. 6, subs. 1,
cl. a,
re-enacted

4.—(1) Clause *a* of subsection 1 of section 6 of *The City of Toronto Act, 1936*, as amended by subsection 1 of section 3 of *The City of Toronto Act, 1941*, is repealed and the following substituted therefor:

"dwelling"

(a) "dwelling" means and includes any building, part of a building, tent, trailer or other covering or structure, the whole or any portion of which has been used, is used or is capable of being used for the purposes of human habitation, with the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein.

1936, c. 84,
s. 6, sub. 4
(1956, c. 125,
s. 4, subs. 1),
amended

(2) Subsection 4 of the said section 6, as re-enacted by subsection 1 of section 4 of *The City of Toronto Act, 1956*, is amended by striking out "5" in the sixth line and inserting in lieu thereof "6½", so that the subsection shall read as follows:

Lien for
loans made

(4) The corporation shall have a lien upon the dwelling in respect of which an advance as provided in subsection 3 is made for the amount of such advance together with interest thereon at a rate to be fixed from time to time by the council, but which shall not exceed 6½ per centum per annum, and the amount of such advance with the interest thereon shall be repayable to the corporation by the owner of such dwelling in equal consecutive annual payments which shall be collected over a period of years to be determined by the inspector, which period shall not exceed ten years but need not be the same in the case of each such advance, in the same manner and at the same time as the municipal real property taxes in respect of the said dwelling.

1936, c. 84,
s. 6,
amended

(3) The said section 6, as amended by section 3 of *The City of Toronto Act, 1941*, section 4 of *The City of Toronto Act, 1955* and section 4 of *The City of Toronto Act, 1956*, is further amended by adding thereto the following subsections:

Removal or
demolition
authorized

(13) The council of the corporation may pass by-laws ordering the removal or demolition of any dwelling that has been condemned pursuant to section 97 of *The Public Health Act* as unfit for human habitation or dangerous to health or in respect of which any order made pursuant to this section has not been carried out.

R.S.O. 1950,
c. 306

- (14) Notice of the by-law shall be served upon the owner, ^{Notice} the mortgagee and any other encumbrancer appearing on the registered title, and notice of the by-law shall thereafter be registered in the proper registry or land titles office, and the owner, mortgagee and encumbrancer have the right to appeal from the decision of the council to a judge of the county court of the County of York by a written notice to the clerk of the corporation within sixty days after the date of the registration of such notice.
- (15) The notice shall set out the decision of council, the ^{Idem} reasons for that decision and the method and time for appealing from the decision of council.
- (16) Unless notice of an appeal is received by the clerk ^{Authority to demolish} of the corporation within the time stated herein, the decision of the council to remove or demolish the dwelling may be carried out by the proper persons on behalf of the corporation.
- (17) If the decision of council is appealed, the clerk of ^{Appointment for hearing} the corporation shall obtain an appointment for a hearing before a judge of the county court of the County of York and shall give notice thereof by such means and to such persons as the judge may require.
- (18) After hearing the persons who attend, the judge may ^{Jurisdiction of county court judge} confirm the decision of the council, order that the dwelling be altered and repaired in such manner and within such period as may be stated or make such other order in the circumstances as he may deem advisable, and he shall include in his order the amount of the expenses incurred or estimated to be incurred by the corporation.
- (19) The corporation has a lien for the amount of the ^{Collection of expenses} expenses incurred by it together with interest thereon at a rate to be fixed in the manner provided in subsection 4 upon the dwelling in respect of which the amount was expended and the order of the judge or the certificate of the clerk of the corporation as to such amount is final, and the amount may be added to the collectors' roll to be collected in one year or to the proper collectors' rolls to be collected by instalments over a period of not more than five years and the amount or each instalment may be collected in the same manner as municipal real property taxes.

Gradual
repeal
of graded
exemption
by-law

5. The council of the Corporation may by by-law provide that taxes and rates, except for school purposes, on dwelling houses in the City of Toronto assessed for not more than \$4,000 shall be levied on the percentage of the assessed value of such dwelling houses, as set out in By-law No. 8611 of the City of Toronto, increased in each year after the year in which the by-law is passed under this section by not more than 10 per cent of the assessed value of such dwelling houses and that, when the taxes and rates are levied on 100 per cent of the assessed value of any such dwelling house, By-law No. 8611 shall not apply thereafter to such dwelling house.

Payment of
funeral and
burial
expenses
authorized

6.—(1) The council of the Corporation may authorize the payment of funeral and burial expenses of persons who die within the municipality in respect of whom there are not sufficient means at the time to provide such expenses and whose bodies are not liable to be dealt with under *The Anatomy Act*.

R.S.O. 1950,
c. 16

Recovery
of
expenses

(2) The Corporation may thereafter recover such expenses from the estate of the deceased person or from any person liable for the payment of such expenses.

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. This Act may be cited as *The City of Toronto Act, 1960*.

1st Reading

2nd Reading

3rd Reading

MR. GROSSMAN

(Private Bill)

BILL Pr32

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the City of Toronto

MR. GROSSMAN

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr32

1960

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, Preamble
 herein called the Corporation, by its petition has
 prayed for special legislation in respect of the matters herein-
 after set forth; and whereas it is expedient to grant the prayer
 of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1.—(1) The zoning by-law of the City of Toronto, No. Zoning
 18642, passed on the 10th day of June, 1952, and all by-laws by-law
 amending that by-law passed between the 7th day of May, validated
 1953, and the 27th day of March, 1958, are hereby validated
 and shall be deemed to have been valid from the respective
 dates of each of such by-laws in accordance with and to the
 extent of the approval of such by-laws by the Ontario Muni-
 cipal Board.

(2) Nothing in this section affects the rights acquired by Protection
 any person from a judgment or order of any court prior to of rights
 the day on which this Act comes into force or affects any acquired
 litigation or proceedings pending on the 26th day of January,
 1960.

2. The council of the Corporation may appoint a director Director of
 of a division in the Finance Department who shall have all a division,
 the powers and may perform all the duties of the treasurer Finance
 of the Corporation conferred by statute or by by-law or Department
 resolution of the council.

3. Subsection 3 of section 3 of *The City of Toronto Act*, 1957, c. 157,
 1957 is amended by inserting after "Toronto" in the third s. 3, subs. 3,
 line "except such portions as may be designated by by-law amended
 of the Metropolitan Council", so that the subsection shall
 read as follows:

(3) This section does not apply to the portions of any Application
 highways that are under the jurisdiction of the to
 Metropolitan Metropolitan
 Toronto and Toronto and
 provincial provincial
 highways highways

Municipality of Metropolitan Toronto, except such portions as may be designated by by-law of the Metropolitan Council, or that are extensions or connecting links of the King's Highway.

1936, c. 84,
s. 6, subs. 1,
cl. a,
re-enacted

4.—(1) Clause *a* of subsection 1 of section 6 of *The City of Toronto Act, 1936*, as amended by subsection 1 of section 3 of *The City of Toronto Act, 1941*, is repealed and the following substituted therefor:

"dwelling"

(a) "dwelling" means and includes any building, part of a building, tent, trailer or other covering or structure, the whole or any portion of which has been used, is used or is capable of being used for the purposes of human habitation, with the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein.

1936, c. 84,
s. 6, sub. 4
(1956, c. 125,
s. 4, subs. 1),
amended

(2) Subsection 4 of the said section 6, as re-enacted by subsection 1 of section 4 of *The City of Toronto Act, 1956*, is amended by striking out "5" in the sixth line and inserting in lieu thereof "6½", so that the subsection shall read as follows:

Lien for
loans made

(4) The corporation shall have a lien upon the dwelling in respect of which an advance as provided in subsection 3 is made for the amount of such advance together with interest thereon at a rate to be fixed from time to time by the council, but which shall not exceed 6½ per centum per annum, and the amount of such advance with the interest thereon shall be repayable to the corporation by the owner of such dwelling in equal consecutive annual payments which shall be collected over a period of years to be determined by the inspector, which period shall not exceed ten years but need not be the same in the case of each such advance, in the same manner and at the same time as the municipal real property taxes in respect of the said dwelling.

1936, c. 84,
s. 6,
amended

(3) The said section 6, as amended by section 3 of *The City of Toronto Act, 1941*, section 4 of *The City of Toronto Act, 1955* and section 4 of *The City of Toronto Act, 1956*, is further amended by adding thereto the following subsections:

Removal or
demolition
authorized

(13) The council of the corporation may pass by-laws ordering the removal or demolition of any dwelling that has been condemned pursuant to section 97 of *The Public Health Act* as unfit for human habitation or dangerous to health or in respect of which any order made pursuant to this section has not been carried out.

R.S.O. 1950,
c. 306

- (14) Notice of the by-law shall be served upon the owner, ^{Notice} the mortgagee and any other encumbrancer appearing on the registered title, and notice of the by-law shall thereafter be registered in the proper registry or land titles office, and the owner, mortgagee and encumbrancer have the right to appeal from the decision of the council to a judge of the county court of the County of York by a written notice to the clerk of the corporation within sixty days after the date of the registration of such notice.
- (15) The notice shall set out the decision of council, the ^{Idem} reasons for that decision and the method and time for appealing from the decision of council.
- (16) Unless notice of an appeal is received by the clerk ^{Authority to demolish} of the corporation within the time stated herein, the decision of the council to remove or demolish the dwelling may be carried out by the proper persons on behalf of the corporation.
- (17) If the decision of council is appealed, the clerk of ^{Appointment for hearing} the corporation shall obtain an appointment for a hearing before a judge of the county court of the County of York and shall give notice thereof by such means and to such persons as the judge may require.
- (18) After hearing the persons who attend, the judge may ^{Jurisdiction of county court judge} confirm the decision of the council, order that the dwelling be altered and repaired in such manner and within such period as may be stated or make such other order in the circumstances as he may deem advisable, and he shall include in his order the amount of the expenses incurred or estimated to be incurred by the corporation.
- (19) The corporation has a lien for the amount of the ^{Collection of expenses} expenses incurred by it together with interest thereon at a rate to be fixed in the manner provided in subsection 4 upon the dwelling in respect of which the amount was expended and the order of the judge or the certificate of the clerk of the corporation as to such amount is final, and the amount may be added to the collectors' roll to be collected in one year or to the proper collectors' rolls to be collected by instalments over a period of not more than five years and the amount or each instalment may be collected in the same manner as municipal real property taxes.

Gradual
repeal
of graded
exemption
by-law

5. The council of the Corporation may by by-law, passed in the year 1960, provide that taxes and rates, except for school purposes, on dwelling houses in the City of Toronto assessed for not more than \$4,000 shall be levied on the percentage of the assessed value of such dwelling houses, as set out in By-law No. 8611 of the City of Toronto, increased in each year after the year in which the by-law is passed under this section by not more than 10 per cent of the assessed value of such dwelling houses and that, when the taxes and rates are levied on 100 per cent of the assessed value of any such dwelling house, By-law No. 8611 shall not apply thereafter to such dwelling house.

Payment of
funeral and
burial
expenses
authorized

6.—(1) The council of the Corporation may authorize the payment of funeral and burial expenses of persons who die within the municipality in respect of whom there are not sufficient means at the time to provide such expenses and whose bodies are not liable to be dealt with under *The Anatomy Act*.

R.S.O. 1950,
c. 16

Recovery
of
expenses

(2) The Corporation may thereafter recover such expenses from the estate of the deceased person or from any person liable for the payment of such expenses.

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. This Act may be cited as *The City of Toronto Act, 1960*.

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. GROSSMAN

(Reprinted as amended by the
Committee on Private Bills)

BILL Pr32

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the City of Toronto

MR. GROSSMAN

(Reprinted for consideration by the Committee of the Whole House)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
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An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, Preamble
 herein called the Corporation, by its petition has
 prayed for special legislation in respect of the matters herein-
 after set forth; and whereas it is expedient to grant the prayer
 of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. The council of the Corporation may appoint a director Director of
 of a division in the Finance Department who shall have all a division,
 the powers and may perform all the duties of the treasurer Finance
 of the Corporation conferred by statute or by by-law or Department
 resolution of the council.

2. Subsection 3 of section 3 of *The City of Toronto Act*, 1957, c. 157,
 1957 is amended by inserting after "Toronto" in the third s. 3, subs. 13,
 line "except such portions as may be designated by by-law amended
 of the Metropolitan Council", so that the subsection shall
 read as follows:

(3) This section does not apply to the portions of any Application
 highways that are under the jurisdiction of the to
 Municipality of Metropolitan Toronto, except such Metropolitan
 portions as may be designated by by-law of the Toronto and
 Metropolitan Council, or that are extensions or provincial
 connecting links of the King's Highway. highways

3.—(1) Clause *a* of subsection 1 of section 6 of *The City* 1936, c. 84,
of Toronto Act, 1936, as amended by subsection 1 of section 3 s. 6, subs. 1,
 of *The City of Toronto Act*, 1941, is repealed and the following cl. a,
 substituted therefor: re-enacted

(a) "dwelling" means and includes any building, part "dwelling"
 of a building, tent, trailer or other covering or
 structure, the whole or any portion of which has
 been used, is used or is capable of being used for the
 purposes of human habitation, with the land and
 premises appurtenant thereto and all outbuildings,
 fences or erections thereon or therein.

1936, c. 84,
s. 6, sub. 4
(1956, c. 125,
s. 4, subs. 1),
amended

(2) Subsection 4 of the said section 6, as re-enacted by subsection 1 of section 4 of *The City of Toronto Act, 1956*, is amended by striking out "5" in the sixth line and inserting in lieu thereof "6½", so that the subsection shall read as follows:

Lien for
loans made

(4) The corporation shall have a lien upon the dwelling in respect of which an advance as provided in subsection 3 is made for the amount of such advance together with interest thereon at a rate to be fixed from time to time by the council, but which shall not exceed 6½ per centum per annum, and the amount of such advance with the interest thereon shall be repayable to the corporation by the owner of such dwelling in equal consecutive annual payments which shall be collected over a period of years to be determined by the inspector, which period shall not exceed ten years but need not be the same in the case of each such advance, in the same manner and at the same time as the municipal real property taxes in respect of the said dwelling.

1936, c. 84,
s. 6,
amended

(3) The said section 6, as amended by section 3 of *The City of Toronto Act, 1941*, section 4 of *The City of Toronto Act, 1955* and section 4 of *The City of Toronto Act, 1956*, is further amended by adding thereto the following subsections:

Removal or
demolition
authorized

(13) The council of the corporation may pass by-laws ordering the removal or demolition of any dwelling that has been condemned pursuant to section 97 of *The Public Health Act* as unfit for human habitation or dangerous to health or in respect of which any order made pursuant to this section has not been carried out.

R.S.O. 1950,
c. 306

Notice

(14) Notice of the by-law shall be served upon the owner, the mortgagee and any other encumbrancer appearing on the registered title, and notice of the by-law shall thereafter be registered in the proper registry or land titles office, and the owner, mortgagee and encumbrancer have the right to appeal from the decision of the council to a judge of the county court of the County of York by a written notice to the clerk of the corporation within sixty days after the date of the registration of such notice.

Idem

(15) The notice shall set out the decision of council, the reasons for that decision and the method and time for appealing from the decision of council.

Authority
to
demolish

(16) Unless notice of an appeal is received by the clerk of the corporation within the time stated herein,

the decision of the council to remove or demolish the dwelling may be carried out by the proper persons on behalf of the corporation.

- (17) If the decision of council is appealed, the clerk of the corporation shall obtain an appointment for a hearing before a judge of the county court of the County of York and shall give notice thereof by such means and to such persons as the judge may require. ^{Appointment for hearing}
- (18) After hearing the persons who attend, the judge may confirm the decision of the council, order that the dwelling be altered and repaired in such manner and within such period as may be stated or make such other order in the circumstances as he may deem advisable, and he shall include in his order the amount of the expenses incurred or estimated to be incurred by the corporation. ^{Jurisdiction of county court judge}
- (19) The corporation has a lien for the amount of the expenses incurred by it together with interest thereon at a rate to be fixed in the manner provided in subsection 4 upon the dwelling in respect of which the amount was expended and the order of the judge or the certificate of the clerk of the corporation as to such amount is final, and the amount may be added to the collectors' roll to be collected in one year or to the proper collectors' rolls to be collected by instalments over a period of not more than five years and the amount or each instalment may be collected in the same manner as municipal real property taxes. ^{Collection of expenses}

4.—(1) The council of the Corporation may by by-law, with the assent of the electors qualified to vote on money ^{Gradual repeal of graded exemption by-law} purposes, provide that taxes and rates, except for school purposes, on dwelling houses in the City of Toronto assessed for not more than \$4,000 shall be levied on the percentage of the assessed value of such dwelling houses, as set out in By-law No. 8611 of the City of Toronto, increased in each year after the year in which the by-law is passed under this section by not more than 10 per cent of the assessed value of such dwelling houses and that, when the taxes and rates are levied on 100 per cent of the assessed value of any such dwelling house, By-law No. 8611 shall not apply thereafter to such dwelling house.

(2) Any by-law passed under subsection 1 may provide that the by-law shall apply only to dwelling houses wholly occupied by a tenant or tenants. ^{Application}

Payment of
funeral and
burial
expenses
authorized

5.—(1) The council of the Corporation may authorize the payment of funeral and burial expenses of persons who die within the municipality in respect of whom there are not sufficient means at the time to provide such expenses and whose bodies are not liable to be dealt with under *The Anatomy Act*.

R.S.O. 1950,
c. 16

Recovery
of
expenses

(2) The Corporation may thereafter recover such expenses from the estate of the deceased person or from any person liable for the payment of such expenses.

Commence-
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. This Act may be cited as *The City of Toronto Act, 1960*

1st Reading

February 11th, 1960

2nd Reading

March 3rd, 1960

3rd Reading

MR. GROSSMAN

*(Reprinted for consideration by the
Committee of the Whole House)*

BILL Pr32

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the City of Toronto

MR. GROSSMAN

(Reprinted as amended by the Committee of the Whole House)

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 of the Corporation conferred by statute or by by-law or Department
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2. Subsection 3 of section 3 of *The City of Toronto Act*, 1957, c. 157,
 1957 is amended by inserting after "Toronto" in the third s. 3, subs. 3,
 line "except such portions as may be designated by by-law amended
 of the Metropolitan Council", so that the subsection shall
 read as follows:

(3) This section does not apply to the portions of any Application
 highways that are under the jurisdiction of the to
 Municipality of Metropolitan Toronto, except such Metropolitan
 portions as may be designated by by-law of the Toronto and
 Metropolitan Council, or that are extensions or provincial
 connecting links of the King's Highway. highways

3.—(1) Clause *a* of subsection 1 of section 6 of *The City* 1936, c. 84,
of Toronto Act, 1936, as amended by subsection 1 of section 3 s. 6, subs. 1,
of The City of Toronto Act, 1941, is repealed and the following cl. a,
 substituted therefor: re-enacted

(a) "dwelling" means and includes any building, part "dwelling"
 of a building, tent, trailer or other covering or
 structure, the whole or any portion of which has
 been used, is used or is capable of being used for the
 purposes of human habitation, with the land and
 premises appurtenant thereto and all outbuildings,
 fences or erections thereon or therein.

1936, c. 84,
s. 6, sub. 4
(1956, c. 125,
s. 4, subs. 1),
amended

(2) Subsection 4 of the said section 6, as re-enacted by subsection 1 of section 4 of *The City of Toronto Act, 1956*, is amended by striking out "5" in the sixth line and inserting in lieu thereof "6½", so that the subsection shall read as follows:

Lien for
loans made

(4) The corporation shall have a lien upon the dwelling in respect of which an advance as provided in subsection 3 is made for the amount of such advance together with interest thereon at a rate to be fixed from time to time by the council, but which shall not exceed 6½ per centum per annum, and the amount of such advance with the interest thereon shall be repayable to the corporation by the owner of such dwelling in equal consecutive annual payments which shall be collected over a period of years to be determined by the inspector, which period shall not exceed ten years but need not be the same in the case of each such advance, in the same manner and at the same time as the municipal real property taxes in respect of the said dwelling.

1936, c. 84,
s. 6,
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(3) The said section 6, as amended by section 3 of *The City of Toronto Act, 1941*, section 4 of *The City of Toronto Act, 1955* and section 4 of *The City of Toronto Act, 1956*, is further amended by adding thereto the following subsections:

Removal or
demolition
authorized

(13) The council of the corporation may pass by-laws ordering the removal or demolition of any dwelling that has been condemned pursuant to section 97 of *The Public Health Act* as unfit for human habitation or dangerous to health or in respect of which any order made pursuant to this section has not been carried out.

R.S.O. 1950,
c. 306

Notice

(14) Notice of the by-law shall be served upon the owner, the mortgagee and any other encumbrancer appearing on the registered title, and notice of the by-law shall thereafter be registered in the proper registry or land titles office, and the owner, mortgagee and encumbrancer have the right to appeal from the decision of the council to a judge of the county court of the County of York by a written notice to the clerk of the corporation within sixty days after the date of the registration of such notice.

Idem

(15) The notice shall set out the decision of council, the reasons for that decision and the method and time for appealing from the decision of council.

Authority
to
demolish

(16) Unless notice of an appeal is received by the clerk of the corporation within the time stated herein,

the decision of the council to remove or demolish the dwelling may be carried out by the proper persons on behalf of the corporation.

- (17) If the decision of council is appealed, the clerk of ^{Appointment for hearing} the corporation shall obtain an appointment for a hearing before a judge of the county court of the County of York and shall give notice thereof by such means and to such persons as the judge may require.

- (18) After hearing the persons who attend, the judge may ^{Jurisdiction of county court judge} confirm the decision of the council, order that the dwelling be altered and repaired in such manner and within such period as may be stated or make such other order in the circumstances as he may deem advisable, and he shall include in his order the amount of the expenses incurred or estimated to be incurred by the corporation.

- (19) The corporation has a lien for the amount of the ^{Collection of expenses} expenses incurred by it together with interest thereon at a rate to be fixed in the manner provided in subsection 4 upon the dwelling in respect of which the amount was expended and the order of the judge or the certificate of the clerk of the corporation as to such amount is final, and the amount may be added to the collectors' roll to be collected in one year or to the proper collectors' rolls to be collected by instalments over a period of not more than five years and the amount or each instalment may be collected in the same manner as municipal real property taxes.

4.—(1) The council of the Corporation may authorize the ^{Payment of funeral and burial expenses authorized} payment of funeral and burial expenses of persons who die within the municipality in respect of whom there are not sufficient means at the time to provide such expenses and whose bodies are not liable to be dealt with under *The Anatomy Act*. ^{R.S.O. 1950, c. 16}

(2) The Corporation may thereafter recover such ^{Recovery of expenses} expenses from the estate of the deceased person or from any person liable for the payment of such expenses.

5. This Act comes into force on the day it receives Royal ^{Commencement} Assent.

6. This Act may be cited as *The City of Toronto Act, 1960*. Short title

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15/11/1910

1st Reading

February 11th, 1960

2nd Reading

March 3rd, 1960

3rd Reading

MR. GROSSMAN

*(Reprinted as amended by the
Committee of the Whole House)*

BILL Pr32

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the City of Toronto

MR. GROSSMAN

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, Preamble
 herein called the Corporation, by its petition has
 prayed for special legislation in respect of the matters herein-
 after set forth; and whereas it is expedient to grant the prayer
 of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. The council of the Corporation may appoint a director Director of
 of a division in the Finance Department who shall have all a division,
 the powers and may perform all the duties of the treasurer Finance
 of the Corporation conferred by statute or by by-law or Department
 resolution of the council.

2. Subsection 3 of section 3 of *The City of Toronto Act*, 1957, c. 157,
 1957 is amended by inserting after "Toronto" in the third s. 3, subs. 3,
 line "except such portions as may be designated by by-law amended
 of the Metropolitan Council", so that the subsection shall
 read as follows:

(3) This section does not apply to the portions of any Application
 highways that are under the jurisdiction of the to
 Municipality of Metropolitan Toronto, except such Metropolitan
 portions as may be designated by by-law of the Toronto and
 Metropolitan Council, or that are extensions or provincial
 connecting links of the King's Highway. highways

3.—(1) Clause *a* of subsection 1 of section 6 of *The City* 1936, c. 84,
of Toronto Act, 1936, as amended by subsection 1 of section 3 s. 6, subs. 1,
of The City of Toronto Act, 1941, is repealed and the following cl. a,
 substituted therefor: re-enacted

(a) "dwelling" means and includes any building, part "dwelling"
 of a building, tent, trailer or other covering or
 structure, the whole or any portion of which has
 been used, is used or is capable of being used for the
 purposes of human habitation, with the land and
 premises appurtenant thereto and all outbuildings,
 fences or erections thereon or therein.

1936, c. 84,
s. 6, sub. 4
(1956, c. 125,
s. 4, subs. 1),
amended

(2) Subsection 4 of the said section 6, as re-enacted by subsection 1 of section 4 of *The City of Toronto Act, 1956*, is amended by striking out "5" in the sixth line and inserting in lieu thereof "6½", so that the subsection shall read as follows:

Lien for
loans made

- (4) The corporation shall have a lien upon the dwelling in respect of which an advance as provided in subsection 3 is made for the amount of such advance together with interest thereon at a rate to be fixed from time to time by the council, but which shall not exceed 6½ per centum per annum, and the amount of such advance with the interest thereon shall be repayable to the corporation by the owner of such dwelling in equal consecutive annual payments which shall be collected over a period of years to be determined by the inspector, which period shall not exceed ten years but need not be the same in the case of each such advance, in the same manner and at the same time as the municipal real property taxes in respect of the said dwelling.

1936, c. 84,
s. 6,
amended

- (3) The said section 6, as amended by section 3 of *The City of Toronto Act, 1941*, section 4 of *The City of Toronto Act, 1955* and section 4 of *The City of Toronto Act, 1956*, is further amended by adding thereto the following subsections:

Removal or
demolition
authorized

- (13) The council of the corporation may pass by-laws ordering the removal or demolition of any dwelling that has been condemned pursuant to section 97 of *The Public Health Act* as unfit for human habitation or dangerous to health or in respect of which any order made pursuant to this section has not been carried out.

R.S.O., 1950,
c. 306

Notice

- (14) Notice of the by-law shall be served upon the owner, the mortgagee and any other encumbrancer appearing on the registered title, and notice of the by-law shall thereafter be registered in the proper registry or land titles office, and the owner, mortgagee and encumbrancer have the right to appeal from the decision of the council to a judge of the county court of the County of York by a written notice to the clerk of the corporation within sixty days after the date of the registration of such notice.

Idem

- (15) The notice shall set out the decision of council, the reasons for that decision and the method and time for appealing from the decision of council.

Authority
to
demolish

- (16) Unless notice of an appeal is received by the clerk of the corporation within the time stated herein,

the decision of the council to remove or demolish the dwelling may be carried out by the proper persons on behalf of the corporation.

(17) If the decision of council is appealed, the clerk of the corporation shall obtain an appointment for a hearing before a judge of the county court of the County of York and shall give notice thereof by such means and to such persons as the judge may require.

(18) After hearing the persons who attend, the judge may confirm the decision of the council, order that the dwelling be altered and repaired in such manner and within such period as may be stated or make such other order in the circumstances as he may deem advisable, and he shall include in his order the amount of the expenses incurred or estimated to be incurred by the corporation.

(19) The corporation has a lien for the amount of the expenses incurred by it together with interest thereon at a rate to be fixed in the manner provided in subsection 4 upon the dwelling in respect of which the amount was expended and the order of the judge or the certificate of the clerk of the corporation as to such amount is final, and the amount may be added to the collectors' roll to be collected in one year or to the proper collectors' rolls to be collected by instalments over a period of not more than five years and the amount or each instalment may be collected in the same manner as municipal real property taxes.

4.—(1) The council of the Corporation may authorize the payment of funeral and burial expenses of persons who die within the municipality in respect of whom there are not sufficient means at the time to provide such expenses and whose bodies are not liable to be dealt with under *The Anatomy Act*.

Payment of funeral and burial expenses authorized R.S.O. 1950, c. 16

(2) The Corporation may thereafter recover such expenses from the estate of the deceased person or from any person liable for the payment of such expenses.

Recovery of expenses

5. This Act comes into force on the day it receives Royal Assent.

Commencement

6. This Act may be cited as *The City of Toronto Act, 1960*.

Short title



1st Reading

February 11th, 1960

2nd Reading

March 3rd, 1960

3rd Reading

April 11th, 1960

MR. GROSSMAN

1960

BILL Pr33

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

**An Act respecting the
Canadian National Exhibition Association**

MR. COWLING

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr33

1960

An Act respecting the Canadian National Exhibition Association

WHEREAS the Canadian National Exhibition Association by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of subsection 1 of section 6 of *The Canadian National Exhibition Association Act, 1948* is repealed and the following substituted therefor: 1948, c. 105,
s. 6, subs. 1,
cl. *a*,
re-enacted

- (a) the Minister of Agriculture of the Province of Ontario, *ex officio*
directors
the Mayor of the City of Toronto and the Chairman of the Metropolitan Council of The Municipality of Metropolitan Toronto, each of whom shall be *ex officio* members of the Board.

(2) Clause *c* of subsection 1 of the said section 6, as amended by subsection 1 of section 1 of *The Canadian National Exhibition Association Act, 1958*, is further amended by striking out "seven" in the first line and inserting in lieu thereof "eight", so that the clause shall read as follows: 1948, c. 105,
s. 6, subs. 1,
cl. *c*,
amended

- (c) eight members of the council of the City of Toronto to be appointed at the first meeting each year of the council; and appointed
directors
-

(3) Clause *d* of subsection 1 of the said section 6 is amended by inserting after "Section" in the second line "who are not members of the council of the City of Toronto", so that the clause shall read as follows: 1948, c. 105,
s. 6, subs. 1,
cl. *d*,
amended

- (d) two representatives from the City Council and elected
directors
Municipality Section, who are not members of the

council of the City of Toronto, ten representatives from the General, Manufacturers and Liberal Arts Section and ten representatives from the Agricultural Section, such twenty-two representatives to be elected annually on such day as may be fixed by by-law by the Board, by ballot by a plurality of the votes of the members of the Association present in person and voting.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Canadian National Exhibition Association Act, 1960*.



An Act respecting the Canadian
National Exhibition Association

1st Reading

February 4th, 1960

2nd Reading

3rd Reading

MR. COWLING

(*Private Bill*)

1960

BILL Pr33

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Canadian National Exhibition Association

MR. COWLING

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr33

1960

An Act respecting the Canadian National Exhibition Association

WHEREAS the Canadian National Exhibition Association by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition: Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of subsection 1 of section 6 of *The Canadian National Exhibition Association Act, 1948* is repealed and the following substituted therefor: 1948, c. 105,
s. 6, subs. 1,
cl. *a*,
re-enacted

(a) the Minister of Agriculture of the Province of Ontario, *ex officio*
directors
the Mayor of the City of Toronto and the Chairman of the Metropolitan Council of The Municipality of Metropolitan Toronto, each of whom shall be *ex officio* members of the Board.

(2) Clause *c* of subsection 1 of the said section 6, as amended by subsection 1 of section 1 of *The Canadian National Exhibition Association Act, 1958*, is further amended by striking out "seven" in the first line and inserting in lieu thereof "eight", so that the clause shall read as follows: 1948, c. 105,
s. 6, subs. 1,
cl. *c*,
amended

(c) eight members of the council of the City of Toronto appointed
directors
to be appointed at the first meeting each year of the council; and

.

(3) Clause *d* of subsection 1 of the said section 6 is amended by inserting after "Section" in the second line "who are not members of the council of the City of Toronto", so that the clause shall read as follows: 1948, c. 105,
s. 6, subs. 1,
cl. *d*,
amended

(d) two representatives from the City Council and elected
directors
Municipality Section, who are not members of the

council of the City of Toronto, ten representatives from the General, Manufacturers and Liberal Arts Section and ten representatives from the Agricultural Section, such twenty-two representatives to be elected annually on such day as may be fixed by by-law by the Board, by ballot by a plurality of the votes of the members of the Association present in person and voting.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Canadian National Exhibition Association Act, 1960.*

National Exhibition Association

1st Reading

February 4th, 1960

2nd Reading

February 26th, 1960

3rd Reading

March 1st, 1960

Mr. COWLING

1960

BILL Pr34

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the Town of Oakville and the Township of Trafalgar

MR. HALL

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

An Act respecting the Town of Oakville and the Township of Trafalgar

WHEREAS the corporations of the Town of Oakville Preamble and the Township of Trafalgar by their petition have prayed for special legislation for the establishment of a public utilities commission as hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means the Ontario Municipal Board;
- (b) "Commission" means The Oakville-Trafalgar Public Utilities Commission;
- (c) "construction" includes establishment, enlargement and improvement;
- (d) "Existing Commissions" means the Public Utilities Commission of the Town of Oakville, heretofore established, and the Lake Shore Water Commission, heretofore established;
- (e) "Oakville" means The Corporation of the Town of Oakville;
- (f) "service sewer" means a sanitary sewage main, other than a replacement main, having a diameter of 10 inches or less to which direct connections are made to receive the discharge of sanitary sewage from the premises of owners;
- (g) "service water main" means a water main, other than a replacement main, having a diameter of 6

inches or less from which direct connections are made for the supply of water to consumers;

(h) "Trafalgar" means The Corporation of the Township of Trafalgar;

(i) "utility" includes any public utility, as defined in section 1 of *The Public Utilities Act*, any sanitary sewage and storm drainage works and any work for the supply of electrical energy in Trafalgar, the control and management of which are not by this Act entrusted to the Commission.

R.S.O. 1950,
c. 320

Commission
established

2.—(1) A commission is hereby established to be known as "The Oakville-Trafalgar Public Utilities Commission".

Corporate
body

(2) The Commission is a body corporate.

Composition

(3) The Commission shall consist of five members, two of whom shall be elected by general vote of the electors of Oakville, two of whom shall be elected by general vote of the electors of Trafalgar, and a chairman, who shall not be one of the four elected members, shall be appointed by the elected members.

Qualification

(4) Every member,

(a) elected by the electors of Oakville shall be a person who is qualified to be elected a member of the council of Oakville; and

(b) elected by the electors of Trafalgar shall be a person who is qualified to be elected a member of the council of Trafalgar; and

(c) appointed as chairman shall be a person who is qualified to be elected a member of the council of Oakville or Trafalgar.

Term of
members

(5) The elected members of the Commission shall hold office for a period of two years or until their successors are elected.

Term of
chairman

(6) The chairman shall hold office for a period of two years or until the regular term of the elected members expires, whichever first occurs.

Vacancy
among
elected
members

(7) Where a vacancy occurs among the elected members of the Commission from any cause, the remaining members of the Commission shall appoint a successor from among the persons qualified to be elected to the council of the muni-

city from which the member whose seat is vacant was elected, and the person so appointed shall hold office for the remainder of the term for which his predecessor was elected.

(8) Where a vacancy occurs in the office of chairman ^{Vacancy in office of chairman} from any cause, the members shall appoint a successor for the remainder of the term for which his predecessor was appointed.

(9) Where the elected members fail to appoint a chairman ^{Chairman} within thirty days after a vacancy occurs in the office of chairman, the chairman shall be appointed by the Lieutenant Governor in Council.

(10) Except as otherwise expressly provided in this Act, ^{Election of members} the provisions of *The Municipal Act* respecting the election of the head of a municipal council apply *mutatis mutandis* to ^{R.S.O. 1950, c. 243} the election of the members of the Commission.

(11) Three members of the Commission constitute a quorum.

(12) The present elected members of the Existing Com- ^{Members of first Commission} missions, excluding the heads of the councils of Oakville and of Trafalgar, constitute the elected members of the Commission for the years 1960 and 1961, and a chairman shall be appointed forthwith in accordance with this Act.

(13) The first election of members of the Commission shall ^{First election} be held in the year 1961 for the years 1962 and 1963, and thereafter the elections shall be held every second year in both Oakville and Trafalgar for the election of members of the Commission.

3.—(1) Subject to the other provisions of this Act and to subsection 4 of section 41 of *The Public Utilities Act*, ^{Water and electric utilities entrusted to Commission} the Commission is entrusted with the control and management of the water production and distribution systems of Oakville and Trafalgar, and all works for the supply and distribution of electrical power and energy in Oakville and in that part of Trafalgar that is described in Schedule A hereto, and all the powers, rights, authorities and privileges in connection therewith that are by *The Public Utilities Act*, *The Power Commission Act* and *The Municipal Act* conferred upon each ^{R.S.O. 1950, cc. 320, 281, 243} municipal corporation and the Existing Commissions, shall be exercised by the Commission and not by the councils of Oakville and Trafalgar.

(2) The councils of Oakville and Trafalgar, by by-laws ^{Other utilities} to be passed by each council to take effect concurrently, may entrust to the Commission the control and management of

any other utility with the same powers, rights, authorities and privileges as are set out in subsection 1.

Control and management (3) The Commission has control and management of the design, construction and installation of all works required for every utility, the control and management of which are entrusted to the Commission.

Extension of utility into another municipality (4) No part of the works of any utility under the control and management of the Commission shall be undertaken in or extended into, and no supply of such utility shall be furnished to or in, any municipality other than Oakville and Trafalgar without the consents of the councils of Oakville and Trafalgar, to be expressed by by-law.

Employees 4.—(1) The officers and employees of the Existing Commissions shall be continued until removed by the Commission, unless their engagements sooner terminate.

Tenure (2) Every officer, employee and servant of the Commission shall hold office during the pleasure of the Commission.

Initiation of works 5.—(1) The Commission shall initiate all works that in the opinion of the Commission are required for the better functioning of the utilities under its control and management.

Proposal for construction of work (2) Upon initiating any proposal for the construction of a work, the whole cost of which is not to be provided from available funds of the Commission, the Commission shall set forth in a request to each municipality its recommendation as to the sums to be provided by each municipality to meet the capital cost of the proposal.

Approval by municipalities
R.S.O. 1950, c. 262 (3) If the councils of Oakville and Trafalgar by by-law approve of the request, then, subject to *The Ontario Municipal Board Act*, each municipality shall provide the sum for which it is responsible and may borrow such sum by the issue of debentures.

Application to Municipal Board (4) If the councils of Oakville and Trafalgar do not by by-law, enacted within sixty days of the receipt of the request, approve of it, the Commission or either municipality may apply to the Board for an order approving the proposal and the Board may approve or not approve the proposal as made or approve it with such variation as the Board deems just, and may direct the municipalities to provide the funds in such proportion and in such manner as the Board deems just, and each municipality shall comply with the order.

(5) In the event that either municipality requests the construction of a work for the better functioning of a utility under the control and management of the Commission and the Commission declines to initiate or for a period of sixty days after receipt of the request does not initiate a proposal for the establishment of the work, the municipality seeking the initiation may apply to the Board in like manner and with like effect as is provided for in subsection 4.

Initiation of proposal requested by municipality

6.—(1) Moneys required for the construction of any work, subject to subsections 3 and 4 and subject to any order of the Board declaring otherwise, shall be apportioned between the two municipalities in the ratio of their respective last revised assessments as of the 31st day of December in the preceding year.

Apportionment of cost of construction

(2) If such assessments of the two municipalities shall, on equalization for county purposes, be fixed for such purposes at different proportions of their actual amounts, an adjustment shall be made against the municipality whose assessment appears thereby to have been too low in favour of the municipality whose assessment appears to have been too high, and any sum appearing on such adjustment shall be taken into account upon the next request for moneys for the purposes set forth in subsection 1.

Adjustment on equalization of assessment

(3) Notwithstanding the foregoing provisions and subject to *The Ontario Municipal Board Act*, either municipality may agree with the Commission to provide, by borrowing by the issue of debentures, or otherwise, any sum of money required for the construction of any work comprising part of a utility under the control and management of the Commission.

Municipality may agree with Commission to provide any sum for construction R.S.O. 1950, c. 262

(4) In respect of the construction of any water main or any sanitary sewage main designed and available to serve abutting lands,

Cost of construction to be borne by municipality in which work is situate

- (a) all moneys required for the construction of service water mains and service sewers shall be supplied by the municipality in which the work is situated;
- (b) the moneys required for the construction of any water main or sanitary sewage main of a size greater than that of a service water main or service sewer shall, to the extent of the cost of a service water main or service sewer designed to serve the abutting lands, be supplied by the municipality in which the work is constructed; and
- (c) each municipality may borrow by the issue of debentures the moneys that it is required by this subsection to supply.

Commission
may
requisition
sums

(5) The Commission, on commencing any work for the construction of any utility under its control and management, the whole cost of which cannot be provided from money available to the Commission, shall from time to time requisition in writing from each municipality the sums to be expended.

Trafalgar
to pay
cost to
complete
electrical
utility

(6) Trafalgar shall pay the cost of acquiring from The Hydro-Electric Power Commission of Ontario such assets for the supply of electrical power as are necessary for the complete establishment of the electrical utility, the control and management of which are hereby entrusted to the Commission, and may issue debentures therefor.

Special
levies

7. Nothing in this Act affects the right of either municipality to establish special levies in the municipality, or a defined area thereof, for any utility under the control and management of the Commission, whether such levy is made under *The Local Improvement Act*, *The Municipal Act* or any other Act, but no such special levy shall be imposed in either municipality, or a defined area thereof, without the approval of the Board.

R.S.O. 1950,
cc. 215, 243

Rates and
charges not
otherwise
provided

8.—(1) The Commission, in respect of any utility the rates or charges for which are not herein otherwise provided for, shall fix the rates and charges, including hydrant rentals in respect of the water utility, at an amount sufficient to provide for the supply of the utility and to repay the principal of and interest on all moneys borrowed in respect of the utility to the extent that the repayment of such moneys is not provided for by special assessments or special levies or by contributions that are governed by section 312a of *The Municipal Act* or is not borrowed under subsection 4 of section 6 of this Act.

R.S.O. 1950,
c. 243

Electrical
utility
rates

(2) The Commission, in respect of the electrical utility under its control and management, shall fix the rates and charges at an amount sufficient to provide for the supply of the utility and to repay the principal of and interest on all moneys borrowed in respect of the utility, including any moneys borrowed to purchase the plant and equipment of that part of the rural district to be taken over from The Hydro-Electric Power Commission of Ontario, all in accordance with and subject to *The Public Utilities Act* and *The Power Commission Act*.

R.S.O. 1950,
cc. 320, 281

Sewer
utility
charge

(3) The Commission, in respect of any sewer utility under its control and management, shall, on or before the 31st day of January in each year, fix the annual charge to be paid by each municipality, so that the charge,

(a) shall include an amount sufficient to provide for the operating expenses of the utility and to repay the

principal of and interest on all moneys borrowed in respect of the utility to the extent that the repayment of such moneys is not provided for by special assessments or by special levies or by contributions that are governed by section 312a of *The Municipal Act* or is not borrowed under subsection 4 of section 6 of this Act; R.S.O. 1950,
c. 243

- (b) shall be decreased by the amount of any surplus from the preceding year or increased by the amount of any deficit from the preceding year; and
- (c) shall be apportioned between the two municipalities in the ratio of their respective last revised assessments as of the 31st day of December in the preceding year, subject to adjustment as provided in subsection 2 of section 6.

(4) Upon receipt of particulars of the annual charge in respect of the sewer utility from the Commission, each municipality shall make payment thereof in four equal instalments on March 15, June 15, September 15 and December 15 in the same year, and any adjustment shall be made on payment of the last instalment. Particulars
of charge

9.—(1) The Commission shall keep separate accounts with respect to the utilities under its control and management. Separate
accounts

(2) The receipts arising from the supply of electrical energy shall be used and applied as directed by *The Power Commission Act* and *The Public Utilities Act*. Use of
receipts,
from
electrical
utility
R.S.O. 1950,
cc. 281, 320

(3) The receipts arising from the rates and charges for the supply of the water utility and any other utility to which subsection 1 of section 8 applies and all other income in respect of the relevant utility shall be applied, from water
utility, etc.

- (a) to the payment of the current expenditures of the utility;
- (b) to the payment to the treasurer of each municipality of the sums required to repay the principal of and interest on all moneys borrowed in respect of the utility to the extent that provision for the repayment of such moneys is not otherwise made;
- (c) to the maintenance, repair and renewal of the utility; and

- (d) to the establishment of a reserve fund to which may be added any surplus remaining at the year's end from receipts over and above the amount necessary to provide for the matters in clauses *a*, *b* and *c*.

Reserve
fund

(4) The reserve fund established under clause *d* of subsection 3 may be expended by the Commission as required for capital expenditures in connection with the utility, and any part thereof that is not immediately required may be invested in such securities as a trustee may invest in under *The Trustee Act*.

R.S.O. 1950,
c. 400

Use of
receipts,
from
sewer
utility

(5) The receipts arising from the charges for any sewer utility and all other income in respect of the relevant utility shall be applied,

- (a) to the payment of the current expenditures of the utility;
- (b) to the payment to the treasurer of each municipality of the sums required to repay the principal of and interest on all moneys borrowed in respect of the utility to the extent that provision for the repayment of such moneys is not otherwise made; and

(c) to the maintenance and repair of the utility,

and any balance remaining shall be deemed a surplus to be taken into account in reduction of the charge for the succeeding year.

Land in
Oakville and
Trafalgar,
acquisition

10.—(1) Any land, easement, right-of-way or other interest in land of any nature required for the use of the Commission for the purpose of any utility under its control and management may be acquired or expropriated by the municipality in which the land is situate upon receipt of a requisition from the Commission setting forth particulars of the land, easement, right-of-way or other interest in land required.

Land
situate
outside
Oakville
and
Trafalgar

(2) Any land situate outside Oakville and Trafalgar and any easement, right-of-way or other interest in such land of any nature required for the use of the Commission for the purpose of any such utility may be acquired or expropriated by the municipality that receives from the Commission a requisition setting forth the particulars of the land, easement, right-of-way or other interest in the land required.

Application
to
Municipal
Board

(3) If the municipality to which the requisition is addressed refuses to acquire or expropriate in accordance therewith or fails to act thereon within sixty days of the receipt of the

requisition, the Commission may apply to the Board for an order approving the requisition and the Board may approve or not approve the requisition as made or may approve it with such variation as the Board deems just, and may direct the municipality to act upon such approval, and upon an order being made the municipality shall comply therewith.

(4) Where the cost of such acquisition or expropriation ^{Cost of acquisition of land} cannot be provided from the reserve fund of the utility, it shall be provided in the manner set forth in section 6.

(5) No land, easement, right-of-way or other interest in ^{Disposal of land} land used by the Commission for the purpose of any utility under its control and management shall be disposed of or otherwise dealt with by the municipality in which it is situate without the consent of the Commission and of the council of the other municipality, and the proceeds of any disposition shall form part of the reserve fund of the relevant utility.

(6) The Commission may without the consent of either ^{Disposal of supplies, etc.} municipality dispose of such supplies and equipment as the Commission deems surplus and no longer required by it for any utility under its control and management.

11.—(1) The Existing Commissions cease to exist and are ^{Existing Commissions dissolved} hereby dissolved.

(2) Upon such dissolution, Idem

- (a) except as otherwise provided in clause *d*, all assets of the Existing Commissions, including all rights arising from claims of the Existing Commissions and of either municipality on behalf of the Existing Commissions, are hereby vested in the Commission;
- (b) the contract dated the 15th day of December, 1955, and all amendments thereto, made between the Existing Commissions in respect of the supply and distribution of water, are hereby terminated;
- (c) all other contracts of the Existing Commissions are contracts of the Commission to the same extent and effect as if the Commission had been a party thereto;
- (d) all lands, easements, rights-of-way and other interests in land heretofore acquired by or for either of the Existing Commissions are vested in the municipality that acquired them, or the Existing Commission of which acquired them, and the control and management thereof are hereby entrusted to the Commission;

- (e) all moneys held in trust by either municipality for the provision of utilities under the control and management of the Commission shall be paid or transferred to the Commission and shall be held by it and may be expended by it as provided by section 312a of *The Municipal Act*; and

R.S.O. 1950,
c. 243

- (f) the Commission is liable for all accounts payable, all other debts of the Existing Commissions and all liabilities of the Existing Commissions that arise out of the acts of the Existing Commissions.

Application
of
R.S.O. 1950,
cc. 320, 281

- 12.** Except as otherwise expressly provided by this Act, *The Public Utilities Act* and *The Power Commission Act* apply to the Commission.

Agreement
validated

- 13.** The agreement dated the 16th day of November, 1959, made between Oakville of the First Part, Trafalgar of the Second Part and the Existing Commissions of the Third Part, set forth as Schedule B hereto, is hereby declared to be and to have been from the date thereof legal, valid and binding upon the parties thereto and debentures may be issued in accordance therewith.

Area
dissolved

- 14.** The area for the supply of electrical energy in Trafalgar established by By-law No. 283, enacted on the 8th day of January, 1923, by the council of Trafalgar, is hereby dissolved.

1939, c. 75,
repealed

- 15.** *The Township of Trafalgar Act, 1939* is repealed.

Commence-
ment

- 16.** This Act comes into force on the 1st day of July, 1960.

Short title

- 17.** This Act may be cited as *The Oakville-Trafalgar Public Utilities Commission Act, 1960*.

SCHEDULE A

The Town of Oakville and that part of the Township of Trafalgar lying south-easterly of the line between the north-westerly halves and the south-easterly halves of Lots 1 to 35 inclusive in the Second Concession north of Dundas Street of the said Township of Trafalgar.

SCHEDULE B

THIS AGREEMENT made in quadruplicate this sixteenth day of November in the year of our Lord one thousand nine hundred and fifty-nine.

BETWEEN:

THE CORPORATION OF THE TOWN OF OAKVILLE,

hereinafter called Oakville,

OF THE FIRST PART,

—and—

THE CORPORATION OF THE TOWNSHIP OF TRAFALGAR,

hereinafter called Trafalgar,

OF THE SECOND PART,

—and—

THE OAKVILLE PUBLIC UTILITIES COMMISSION
and THE TRAFALGAR PUBLIC UTILITIES COMMISSION,

hereinafter called the Commissions,

OF THE THIRD PART.

WHEREAS the Councils of Oakville and Trafalgar have agreed to certain principles and recommendations for the implementation of an Act of the Ontario Legislature to unify the Commissions.

AND WHEREAS a special committee of the two Municipalities respecting joint utilities have further agreed and recommended that Trafalgar raise by way of debenture or otherwise the total sum of \$564,500.00 to contribute to the equalization of the capital investment of both Municipalities in the waterworks plant and distribution system, which recommendation of the said joint committee respecting joint utilities has been approved by the Councils of both Oakville and Trafalgar.

AND WHEREAS a part of the monies agreed to be supplied by Trafalgar are required for works to be done at the Oakville water plant within the Town of Oakville in the estimated amount of \$226,500.00 and the necessity for such work is urgent to secure the necessary supply of water for the summer of 1960.

AND WHEREAS Oakville and Trafalgar deem it desirous to enter into this Agreement for the provision of the necessary money to implement the works at the Oakville water plant with the Commissions consenting thereto.

AND WHEREAS this Agreement is recommended to Oakville, Trafalgar and both Commissions by the special committee respecting joint utilities.

NOW THEREFORE in consideration of these premises and other valuable consideration it is agreed as follows:

1. Trafalgar agrees to raise by way of debentures or otherwise a sum now estimated to be \$226,500.00 for the necessary works to the Oakville water plant within the Town of Oakville, in accordance with the recommendations of the Consulting Engineers of the Commissions.

2. Trafalgar further agrees that the monies so raised by debenture or otherwise by Trafalgar for the necessary and approved work shall be paid to the Oakville Public Utilities Commission, that all work done at the said

water plant in the Town of Oakville shall be under the supervision and control of the Oakville Public Utilities Commission and shall be designed and supervised by the Consulting Engineer of the said last-mentioned Commission.

3. Oakville and Trafalgar agree to and with each other that from the date any monies for the necessary improvements to the Oakville water plant are advanced by Trafalgar, the Oakville water plant, including all facilities for pumping and filtration of water, shall be jointly owned by Oakville and Trafalgar to the extent of the investment of each Municipality in the said water plant, provided, however, that the maintenance and operation of the said water plant shall remain and be vested in the Oakville Public Utilities Commission who shall operate and manage the said plant for the joint use of both Oakville and Trafalgar.

4. Oakville and Trafalgar further agree to and with each other that in the event the aforementioned Act of the Legislature is passed and assented to with respect to the unification of the two Commissions, the said Act will provide either that the debentures or capital required under this Agreement shall be issued pursuant to the authority of the said Act, or, to the extent that such debentures are issued and the capital then provided, that the issuance or provision of the capital is validated.

5. That in the event that the aforesaid Act of the Legislature is not approved or passed and Oakville at that time wishes to assume sole ownership of the Oakville water plant, Oakville may, on six months' written notice to Trafalgar, repay to Trafalgar the amount of any capital advanced under this Agreement, or the outstanding balance thereof, and upon such repayment any joint ownership of the plant by Trafalgar shall cease from the date of such repayment.

6. Oakville, Trafalgar and the Commissions further agree that the cost of retiring the capital provided herein, including principal and interest, for any amounts advanced pursuant to this Agreement shall be paid by the Oakville Public Utilities Commission from the basic rates charged for water for all consumers in the area served by the Oakville water treatment plant.

7. Oakville, Trafalgar and the Commissions further agree to and with each other that the amount of the capital advanced under this Agreement, and the amounts of any other capital raised by Trafalgar for water services within Oakville, shall be taken into account along with the existing capital expenditure of Oakville, in the rate study presently authorized to be completed by Mr. Ross Skinner, of Clarkson, Gordon & Company, as authorized by resolution of the special committee dealing with joint utilities.

8. Trafalgar agrees with Oakville that nothing in this Agreement shall in any way affect or diminish the present existing Agreement by Trafalgar to supply the necessary capital for the extension of the trunk main on Allan Street to the Davis Street pumping Station, the improvements in the said pumping station and the extension of the trunk main on Rebecca Street westerly, which work shall be commenced as soon as reasonably possible with the necessary capital provided by Trafalgar under the authority now existing under *The Public Utilities Act* and *The Municipal Act*.

9. The Commissions agree to and with each other that nothing in this Agreement shall affect the rates or other terms of the existing water Agreement between the two Commissions, dated the 15th day of September, 1955, except with respect to the provisions of paragraph 3 hereof wherein Trafalgar, to the extent of its investment, is a joint owner of the Oakville water treatment plant, and, further, except to any adjustment in rates that may result from the rate study presently authorized to be completed and referred to in paragraph 7 hereof.

10. All debenture By-laws or any undertakings or Agreements with respect to the supply of capital by Trafalgar shall be subject to the approval of the Ontario Municipal Board.

IN WITNESS WHEREOF the corporate seals of Oakville and Trafalgar have been hereunto affixed duly attested by the respective heads of Council and Clerks thereof, the execution of this Agreement having been approved by By-law of each Municipality, and the corporate seals of the Commissions have been hereunto affixed duly attested by their proper signing officers. The execution of this Agreement by the Trafalgar Public Utilities Commission shall be deemed to include any powers exercised by such commission under the provisions of *The Lakeshore Water Commission Act*, Ontario Statutes 1939, Chapter 75.

SIGNED, SEALED AND DELIVERED

THE CORPORATION OF THE TOWN OF
OAKVILLE:

WILLIAN ANDERSON,
Mayor.

D. A. CAMM,
Clerk.

THE CORPORATION OF THE TOWN-
SHIP OF TRAFALGAR:

F. A. PHILLIPS,
Reeve.

F. S. FEATHERSTON,
Clerk.

THE OAKVILLE PUBLIC UTILITIES
COMMISSION:

H. B. LOFQUIST,
Chairman.

B. BARLOW,
Manager and Secretary.

THE TRAFALGAR PUBLIC UTILITIES
COMMISSION:

G. W. LEAVER,
Chairman.



1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. HALL

(*Private Bill*)

BILL Pr34

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

**An Act respecting the Town of Oakville and
the Township of Trafalgar**

MR. HALL

(Reprinted as amended by the Committee on Private Bills)

BILL Pr34

1960

An Act respecting the Town of Oakville and the Township of Trafalgar

WHEREAS the corporations of the Town of Oakville Preamble
and the Township of Trafalgar by their petition have
prayed for special legislation for the establishment of a public
utilities commission as hereinafter set forth; and whereas it
is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means the Ontario Municipal Board;
- (b) "Commission" means The Oakville-Trafalgar Public Utilities Commission;
- (c) "construction" includes establishment, enlargement and improvement;
- (d) "Existing Commissions" means the Public Utilities Commission of the Town of Oakville, heretofore established, and the Lake Shore Water Commission, heretofore established;
- (e) "Oakville" means The Corporation of the Town of Oakville;
- (f) "service sewer" means a sanitary sewage main, other than a replacement main, having a diameter of 10 inches or less to which direct connections are made to receive the discharge of sanitary sewage from the premises of owners;
- (g) "service water main" means a water main, other than a replacement main, having a diameter of 6

inches or less from which direct connections are made for the supply of water to consumers;

(h) "Trafalgar" means The Corporation of the Township of Trafalgar;

(i) "utility" includes any public utility, as defined in section 1 of *The Public Utilities Act*, any sanitary sewage and storm drainage works and any work for the supply of electrical energy in Trafalgar, the control and management of which are not by this Act entrusted to the Commission.

R.S.O. 1950,
c. 320

Commission
established

2.—(1) A commission is hereby established to be known as "The Oakville-Trafalgar Public Utilities Commission".

Corporate
body

(2) The Commission is a body corporate.

Composition

(3) The Commission shall consist of five members, two of whom shall be elected by general vote of the electors of Oakville, two of whom shall be elected by general vote of the electors of Trafalgar, and a chairman, who shall not be one of the four elected members, shall be appointed by the elected members.

Qualification

(4) Every member,

(a) elected by the electors of Oakville shall be a person who is qualified to be elected a member of the council of Oakville; and

(b) elected by the electors of Trafalgar shall be a person who is qualified to be elected a member of the council of Trafalgar; and

(c) appointed as chairman shall be a person who is qualified to be elected a member of the council of Oakville or Trafalgar.

Term of
members

(5) The elected members of the Commission shall hold office for a period of two years or until their successors are elected.

Term of
chairman

(6) The chairman shall hold office for a period of two years or until the regular term of the elected members expires, whichever first occurs.

Vacancy
among
elected
members

(7) Where a vacancy occurs among the elected members of the Commission from any cause, the remaining members of the Commission shall appoint a successor from among the persons qualified to be elected to the council of the muni-

city from which the member whose seat is vacant was elected, and the person so appointed shall hold office for the remainder of the term for which his predecessor was elected.

(8) Where a vacancy occurs in the office of chairman ^{Vacancy in office of chairman} from any cause, the members shall appoint a successor for the remainder of the term for which his predecessor was appointed.

(9) Where the elected members fail to appoint a chairman ^{Chairman} within thirty days after a vacancy occurs in the office of chairman, the chairman shall be appointed by the Lieutenant Governor in Council.

(10) Except as otherwise expressly provided in this Act, ^{Election of members} the provisions of *The Municipal Act* respecting the election of ^{R.S.O. 1950, c. 243} the head of a municipal council apply *mutatis mutandis* to the election of the members of the Commission.

(11) Three members of the Commission constitute a Quorum quorum.

(12) The present elected members of the Existing Com- ^{Members of first Commission} missions, excluding the heads of the councils of Oakville and of Trafalgar, constitute the elected members of the Commission for the years 1960 and 1961, and a chairman shall be appointed forthwith in accordance with this Act.

(13) The first election of members of the Commission shall ^{First election} be held in the year 1961 for the years 1962 and 1963, and thereafter the elections shall be held every second year in both Oakville and Trafalgar for the election of members of the Commission.

3.—(1) Subject to the other provisions of this Act and to subsection 4 of section 41 of *The Public Utilities Act*, the Commission is entrusted with the control and management of the water production and distribution systems of Oakville and Trafalgar, and all works for the supply and distribution of electrical power and energy in Oakville and in that part of Trafalgar that is described in Schedule A hereto, and all the powers, rights, authorities and privileges in connection therewith that are by *The Public Utilities Act*, *The Power Commission Act* and *The Municipal Act* conferred upon each ^{Water and electric utilities entrusted to Commission} ^{R.S.O. 1950, c. 320, 281, 243} municipal corporation and the Existing Commissions, shall be exercised by the Commission and not by the councils of Oakville and Trafalgar.

(2) The councils of Oakville and Trafalgar, by by-laws ^{Other utilities} to be passed by each council to take effect concurrently, may entrust to the Commission the control and management of

any other utility with the same powers, rights, authorities and privileges as are set out in subsection 1.

Control and management (3) The Commission has control and management of the design, construction and installation of all works required for every utility, the control and management of which are entrusted to the Commission.

Extension of utility into another municipality (4) No part of the works of any utility under the control and management of the Commission shall be undertaken in or extended into, and no supply of such utility shall be furnished to or in, any municipality other than Oakville and Trafalgar without the consents of the councils of Oakville and Trafalgar, to be expressed by by-law.

Employees 4.—(1) The officers and employees of the Existing Commissions shall be continued until removed by the Commission, unless their engagements sooner terminate.

Tenure (2) Every officer, employee and servant of the Commission shall hold office during the pleasure of the Commission.

Initiation of works 5.—(1) The Commission shall initiate all works that in the opinion of the Commission are required for the better functioning of the utilities under its control and management.

Proposal for construction of work (2) Upon initiating any proposal for the construction of a work, the whole cost of which is not to be provided from available funds of the Commission, the Commission shall set forth in a request to each municipality its recommendation as to the sums to be provided by each municipality to meet the capital cost of the proposal.

Approval by municipalities (3) If the councils of Oakville and Trafalgar by by-law approve of the request, then, subject to *The Ontario Municipal Board Act*, each municipality shall provide the sum for which it is responsible and may borrow such sum by the issue of debentures.

R.S.O. 1950, c. 262

Application to Municipal Board (4) If the councils of Oakville and Trafalgar do not by by-law, enacted within sixty days of the receipt of the request, approve of it, the Commission or either municipality may apply to the Board for an order approving the proposal and the Board may approve or not approve the proposal as made or approve it with such variation as the Board deems just, and may direct the municipalities to provide the funds in such proportion and in such manner as the Board deems just, and each municipality shall comply with the order.

(5) In the event that either municipality requests the construction of a work for the better functioning of a utility under the control and management of the Commission and the Commission declines to initiate or for a period of sixty days after receipt of the request does not initiate a proposal for the establishment of the work, the municipality seeking the initiation may apply to the Board in like manner and with like effect as is provided for in subsection 4.

6.—(1) Moneys required for the construction of any work, subject to subsections 3 and 4 and subject to any order of the Board declaring otherwise, shall be apportioned between the two municipalities in the ratio of their respective last revised assessments as of the 31st day of December in the preceding year.

(2) If such assessments of the two municipalities shall, on equalization for county purposes, be fixed for such purposes at different proportions of their actual amounts, an adjustment shall be made against the municipality whose assessment appears thereby to have been too low in favour of the municipality whose assessment appears to have been too high, and any sum appearing on such adjustment shall be taken into account upon the next request for moneys for the purposes set forth in subsection 1.

(3) Notwithstanding the foregoing provisions and subject to *The Ontario Municipal Board Act*, either municipality may agree with the Commission to provide, by borrowing by the issue of debentures, or otherwise, any sum of money required for the construction of any work comprising part of a utility under the control and management of the Commission.

(4) In respect of the construction of any water main or any sanitary sewage main designed and available to serve abutting lands,

- (a) all moneys required for the construction of service water mains and service sewers shall be supplied by the municipality in which the work is situated;
- (b) the moneys required for the construction of any water main or sanitary sewage main of a size greater than that of a service water main or service sewer shall, to the extent of the cost of a service water main or service sewer designed to serve the abutting lands, be supplied by the municipality in which the work is constructed; and
- (c) each municipality may borrow by the issue of debentures the moneys that it is required by this subsection to supply.

Commission
may
requisition
sums

(5) The Commission, on commencing any work for the construction of any utility under its control and management, the whole cost of which cannot be provided from money available to the Commission, shall from time to time requisition in writing from each municipality the sums to be expended.

Trafalgar
to pay
cost to
complete
electrical
utility

(6) Trafalgar shall pay the cost of acquiring from The Hydro-Electric Power Commission of Ontario such assets for the supply of electrical power as are necessary for the complete establishment of the electrical utility, the control and management of which are hereby entrusted to the Commission, and may issue debentures therefor.

Special
levies

7. Nothing in this Act affects the right of either municipality to establish special levies in the municipality, or a defined area thereof, for any utility under the control and management of the Commission, whether such levy is made under *The Local Improvement Act*, *The Municipal Act* or any other Act, but no such special levy shall be imposed in either municipality, or a defined area thereof, without the approval of the Board.

R.S.O. 1950,
c. 215, 243

Rates and
charges not
otherwise
provided

8.—(1) The Commission, in respect of any utility the rates or charges for which are not herein otherwise provided for, shall fix the rates and charges, including hydrant rentals in respect of the water utility, at an amount sufficient to provide for the supply of the utility and to repay the principal of and interest on all moneys borrowed in respect of the utility to the extent that the repayment of such moneys is not provided for by special assessments or special levies or by contributions that are governed by section 312a of *The Municipal Act* or is not borrowed under subsection 4 of section 6 of this Act.

R.S.O. 1950,
c. 243

Electrical
utility
rates

(2) The Commission, in respect of the electrical utility under its control and management, shall fix the rates and charges at an amount sufficient to provide for the supply of the utility and to repay the principal of and interest on all moneys borrowed in respect of the utility, including any moneys borrowed to purchase the plant and equipment of that part of the rural district to be taken over from The Hydro-Electric Power Commission of Ontario, all in accordance with and subject to *The Public Utilities Act* and *The Power Commission Act*.

R.S.O. 1950,
cc. 320, 281

Sewer
utility
charge

(3) The Commission, in respect of any sewer utility under its control and management, shall, on or before the 31st day of January in each year, fix the annual charge to be paid by each municipality, so that the charge,

(a) shall include an amount sufficient to provide for the operating expenses of the utility and to repay the

principal of and interest on all moneys borrowed in respect of the utility to the extent that the repayment of such moneys is not provided for by special assessments or by special levies or by contributions that are governed by section 312a of *The Municipal Act* or is not borrowed under subsection 4 of section 6 of this Act; R.S.O. 1950,
c. 243

- (b) shall be decreased by the amount of any surplus from the preceding year or increased by the amount of any deficit from the preceding year; and
- (c) shall be apportioned between the two municipalities in the ratio of their respective last revised assessments as of the 31st day of December in the preceding year, subject to adjustment as provided in subsection 2 of section 6.

(4) Upon receipt of particulars of the annual charge in respect of the sewer utility from the Commission, each municipality shall make payment thereof in four equal instalments on March 15, June 15, September 15 and December 15 in the same year, and any adjustment shall be made on payment of the last instalment. Particulars
of charge

9.—(1) The Commission shall keep separate accounts with respect to the utilities under its control and management. Separate
accounts

(2) The receipts arising from the supply of electrical energy shall be used and applied as directed by *The Power Commission Act* and *The Public Utilities Act*. Use of
receipts,
from
electrical
utility
R.S.O. 1950,
cc. 281, 320

(3) The receipts arising from the rates and charges for the supply of the water utility and any other utility to which subsection 1 of section 8 applies and all other income in respect of the relevant utility shall be applied, from water
utility, etc.

- (a) to the payment of the current expenditures of the utility;
- (b) to the payment to the treasurer of each municipality of the sums required to repay the principal of and interest on all moneys borrowed in respect of the utility to the extent that provision for the repayment of such moneys is not otherwise made;
- (c) to the maintenance, repair and renewal of the utility; and

- (d) to the establishment of a reserve fund to which may be added any surplus remaining at the year's end from receipts over and above the amount necessary to provide for the matters in clauses *a*, *b* and *c*.

Reserve
fund

R.S.O. 1950,
o. 400

(4) The reserve fund established under clause *d* of subsection 3 may be expended by the Commission as required for capital expenditures in connection with the utility, and any part thereof that is not immediately required may be invested in such securities as a trustee may invest in under *The Trustee Act*.

Use of
receipts,
from
sewer
utility

(5) The receipts arising from the charges for any sewer utility and all other income in respect of the relevant utility shall be applied,

(a) to the payment of the current expenditures of the utility;

(b) to the payment to the treasurer of each municipality of the sums required to repay the principal of and interest on all moneys borrowed in respect of the utility to the extent that provision for the repayment of such moneys is not otherwise made; and

(c) to the maintenance and repair of the utility,

and any balance remaining shall be deemed a surplus to be taken into account in reduction of the charge for the succeeding year.

Land in
Oakville and
Trafalgar,
acquisition

10.—(1) Any land, easement, right-of-way or other interest in land of any nature required for the use of the Commission for the purpose of any utility under its control and management may be acquired or expropriated by the municipality in which the land is situate upon receipt of a requisition from the Commission setting forth particulars of the land, easement, right-of-way or other interest in land required.

Land
situate
outside
Oakville
and
Trafalgar

(2) Any land situate outside Oakville and Trafalgar and any easement, right-of-way or other interest in such land of any nature required for the use of the Commission for the purpose of any such utility may be acquired or expropriated by the municipality that receives from the Commission a requisition setting forth the particulars of the land, easement, right-of-way or other interest in the land required.

Application
to
Municipal
Board

(3) If the municipality to which the requisition is addressed refuses to acquire or expropriate in accordance therewith or fails to act thereon within sixty days of the receipt of the

requisition, the Commission may apply to the Board for an order approving the requisition and the Board may approve or not approve the requisition as made or may approve it with such variation as the Board deems just, and may direct the municipality to act upon such approval, and upon an order being made the municipality shall comply therewith.

(4) Where the cost of such acquisition or expropriation cannot be provided from the reserve fund of the utility, it shall be provided in the manner set forth in section 6. ^{Cost of acquisition of land}

(5) No land, easement, right-of-way or other interest in land used by the Commission for the purpose of any utility under its control and management shall be disposed of or otherwise dealt with by the municipality in which it is situate without the consent of the Commission and of the council of the other municipality, and the proceeds of any disposition shall form part of the reserve fund of the relevant utility. ^{Disposal of land}

(6) The Commission may without the consent of either municipality dispose of such supplies and equipment as the Commission deems surplus and no longer required by it for any utility under its control and management. ^{Disposal of supplies, etc.}

11.—(1) The Existing Commissions cease to exist and are hereby dissolved. ^{Existing Commissions dissolved}

(2) Upon such dissolution, ^{Idem}

- (a) except as otherwise provided in clause *d*, all assets of the Existing Commissions, including all rights arising from claims of the Existing Commissions and of either municipality on behalf of the Existing Commissions, are hereby vested in the Commission;
- (b) the contract dated the 15th day of December, 1955, and all amendments thereto, made between the Existing Commissions in respect of the supply and distribution of water, are hereby terminated;
- (c) all other contracts of the Existing Commissions are contracts of the Commission to the same extent and effect as if the Commission had been a party thereto;
- (d) all lands, easements, rights-of-way and other interests in land heretofore acquired by or for either of the Existing Commissions are vested in the municipality that acquired them, or the Existing Commission of which acquired them, and the control and management thereof are hereby entrusted to the Commission;

- (e) all moneys held in trust by either municipality for the provision of utilities under the control and management of the Commission shall be paid or transferred to the Commission and shall be held by it and may be expended by it as provided by section 312a of *The Municipal Act*; and

R.S.O. 1950,
c. 243

- (f) the Commission is liable for all accounts payable, all other debts of the Existing Commissions and all liabilities of the Existing Commissions that arise out of the acts of the Existing Commissions.

Application
of
R.S.O. 1950,
cc. 281, 320

12. With respect to the electrical utility, *The Power Commission Act* applies and, except as otherwise expressly provided by this Act, *The Public Utilities Act* applies to the Commission.

Agreement
validated

13. The agreement dated the 16th day of November, 1959, made between Oakville of the First Part, Trafalgar of the Second Part and the Existing Commissions of the Third Part, set forth as Schedule B hereto, is hereby declared to be and to have been from the date thereof legal, valid and binding upon the parties thereto and debentures may be issued in accordance therewith.

Area for
supply of
electrical
energy

14. Notwithstanding anything contained in subsection 12 of section 66 of *The Power Commission Act*, the area for the supply of electrical energy in the Township of Trafalgar as presently existing is hereby enlarged to include the area set out in Schedule A hereto.

1939, c. 75,
repealed

15. *The Township of Trafalgar Act, 1939* is repealed.

Commence-
ment

16. This Act comes into force on the 1st day of July, 1960.

Short title

17. This Act may be cited as *The Oakville-Trafalgar Public Utilities Commission Act, 1960*.

SCHEDULE A

The Town of Oakville and that part of the Township of Trafalgar lying south-easterly of the line between the north-westerly halves and the south-easterly halves of Lots 1 to 35 inclusive in the Second Concession north of Dundas Street of the said Township of Trafalgar.

SCHEDULE B

THIS AGREEMENT made in quadruplicate this sixteenth day of November in the year of our Lord one thousand nine hundred and fifty-nine.

BETWEEN:

THE CORPORATION OF THE TOWN OF OAKVILLE,
hereinafter called Oakville,

OF THE FIRST PART,

—and—

THE CORPORATION OF THE TOWNSHIP OF TRAFALGAR,
hereinafter called Trafalgar,

OF THE SECOND PART,

—and—

THE OAKVILLE PUBLIC UTILITIES COMMISSION
and THE TRAFALGAR PUBLIC UTILITIES COMMISSION,
hereinafter called the Commissions,

OF THE THIRD PART.

WHEREAS the Councils of Oakville and Trafalgar have agreed to certain principles and recommendations for the implementation of an Act of the Ontario Legislature to unify the Commissions.

AND WHEREAS a special committee of the two Municipalities respecting joint utilities have further agreed and recommended that Trafalgar raise by way of debenture or otherwise the total sum of \$564,500.00 to contribute to the equalization of the capital investment of both Municipalities in the waterworks plant and distribution system, which recommendation of the said joint committee respecting joint utilities has been approved by the Councils of both Oakville and Trafalgar.

AND WHEREAS a part of the monies agreed to be supplied by Trafalgar are required for works to be done at the Oakville water plant within the Town of Oakville in the estimated amount of \$226,500.00 and the necessity for such work is urgent to secure the necessary supply of water for the summer of 1960.

AND WHEREAS Oakville and Trafalgar deem it desirous to enter into this Agreement for the provision of the necessary money to implement the works at the Oakville water plant with the Commissions consenting thereto.

AND WHEREAS this Agreement is recommended to Oakville, Trafalgar and both Commissions by the special committee respecting joint utilities.

NOW THEREFORE in consideration of these premises and other valuable consideration it is agreed as follows:

1. Trafalgar agrees to raise by way of debentures or otherwise a sum now estimated to be \$226,500.00 for the necessary works to the Oakville water plant within the Town of Oakville, in accordance with the recommendations of the Consulting Engineers of the Commissions.

2. Trafalgar further agrees that the monies so raised by debenture or otherwise by Trafalgar for the necessary and approved work shall be paid to the Oakville Public Utilities Commission, that all work done at the said

water plant in the Town of Oakville shall be under the supervision and control of the Oakville Public Utilities Commission and shall be designed and supervised by the Consulting Engineer of the said last-mentioned Commission.

3. Oakville and Trafalgar agree to and with each other that from the date any monies for the necessary improvements to the Oakville water plant are advanced by Trafalgar, the Oakville water plant, including all facilities for pumping and filtration of water, shall be jointly owned by Oakville and Trafalgar to the extent of the investment of each Municipality in the said water plant, provided, however, that the maintenance and operation of the said water plant shall remain and be vested in the Oakville Public Utilities Commission who shall operate and manage the said plant for the joint use of both Oakville and Trafalgar.

4. Oakville and Trafalgar further agree to and with each other that in the event the aforementioned Act of the Legislature is passed and assented to with respect to the unification of the two Commissions, the said Act will provide either that the debentures or capital required under this Agreement shall be issued pursuant to the authority of the said Act, or, to the extent that such debentures are issued and the capital then provided, that the issuance or provision of the capital is validated.

5. That in the event that the aforesaid Act of the Legislature is not approved or passed and Oakville at that time wishes to assume sole ownership of the Oakville water plant, Oakville may, on six months' written notice to Trafalgar, repay to Trafalgar the amount of any capital advanced under this Agreement, or the outstanding balance thereof, and upon such repayment any joint ownership of the plant by Trafalgar shall cease from the date of such repayment.

6. Oakville, Trafalgar and the Commissions further agree that the cost of retiring the capital provided herein, including principal and interest, for any amounts advanced pursuant to this Agreement shall be paid by the Oakville Public Utilities Commission from the basic rates charged for water for all consumers in the area served by the Oakville water treatment plant.

7. Oakville, Trafalgar and the Commissions further agree to and with each other that the amount of the capital advanced under this Agreement, and the amounts of any other capital raised by Trafalgar for water services within Oakville, shall be taken into account along with the existing capital expenditure of Oakville, in the rate study presently authorized to be completed by Mr. Ross Skinner, of Clarkson, Gordon & Company, as authorized by resolution of the special committee dealing with joint utilities.

8. Trafalgar agrees with Oakville that nothing in this Agreement shall in any way affect or diminish the present existing Agreement by Trafalgar to supply the necessary capital for the extension of the trunk main on Allan Street to the Davis Street pumping Station, the improvements in the said pumping station and the extension of the trunk main on Rebecca Street westerly, which work shall be commenced as soon as reasonably possible with the necessary capital provided by Trafalgar under the authority now existing under *The Public Utilities Act* and *The Municipal Act*.

9. The Commissions agree to and with each other that nothing in this Agreement shall affect the rates or other terms of the existing water Agreement between the two Commissions, dated the 15th day of September, 1955, except with respect to the provisions of paragraph 3 hereof wherein Trafalgar, to the extent of its investment, is a joint owner of the Oakville water treatment plant, and, further, except to any adjustment in rates that may result from the rate study presently authorized to be completed and referred to in paragraph 7 hereof.

10. All debenture By-laws or any undertakings or Agreements with respect to the supply of capital by Trafalgar shall be subject to the approval of the Ontario Municipal Board.

IN WITNESS WHEREOF the corporate seals of Oakville and Trafalgar have been hereunto affixed duly attested by the respective heads of Council and Clerks thereof, the execution of this Agreement having been approved by By-law of each Municipality, and the corporate seals of the Commissions have been hereunto affixed duly attested by their proper signing officers. The execution of this Agreement by the Trafalgar Public Utilities Commission shall be deemed to include any powers exercised by such commission under the provisions of *The Lakeshore Water Commission Act*, Ontario Statutes 1939, Chapter 75.

SIGNED, SEALED AND DELIVERED

THE CORPORATION OF THE TOWN OF
OAKVILLE:

WILLIAN ANDERSON,
Mayor.

D. A. CAMM,
Clerk.

THE CORPORATION OF THE TOWN-
SHIP OF TRAFALGAR:

F. A. PHILLIPS,
Reeve.

F. S. FEATHERSTON,
Clerk.

THE OAKVILLE PUBLIC UTILITIES
COMMISSION:

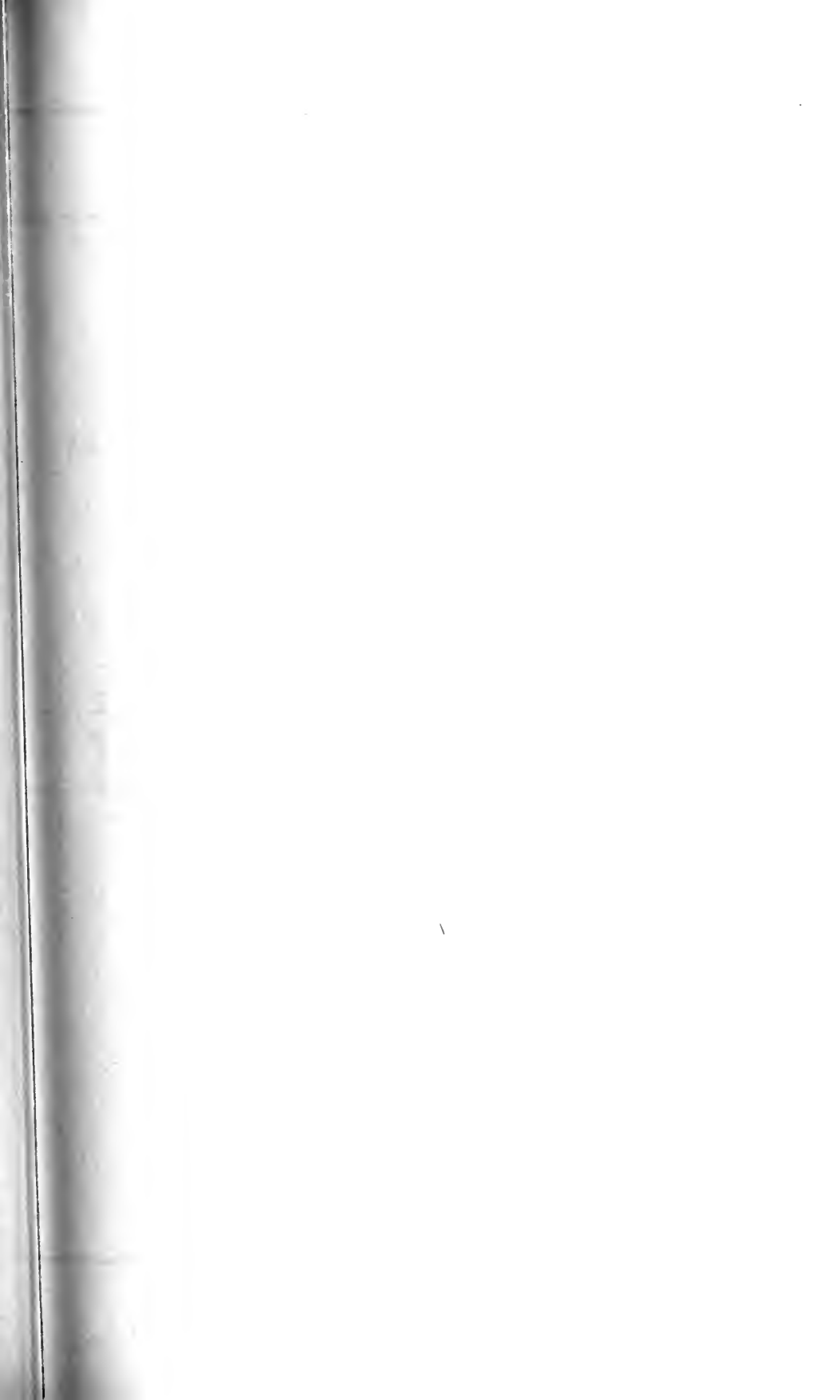
H. B. LOFQUIST,
Chairman.

B. BARLOW,
Manager and Secretary.

THE TRAFALGAR PUBLIC UTILITIES
COMMISSION:

G. W. LEAVER,
Chairman.





and the Township of Trafalgar

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. HALL

(Reprinted as amended by the
Committee on Private Bills)

BILL Pr34

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the Town of Oakville and the Township of Trafalgar

MR. HALL

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr34

1960

An Act respecting the Town of Oakville and the Township of Trafalgar

WHEREAS the corporations of the Town of Oakville Preamble and the Township of Trafalgar by their petition have prayed for special legislation for the establishment of a public utilities commission as hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means the Ontario Municipal Board;
- (b) "Commission" means The Oakville-Trafalgar Public Utilities Commission;
- (c) "construction" includes establishment, enlargement and improvement;
- (d) "Existing Commissions" means the Public Utilities Commission of the Town of Oakville, heretofore established, and the Lake Shore Water Commission, heretofore established;
- (e) "Oakville" means The Corporation of the Town of Oakville;
- (f) "service sewer" means a sanitary sewage main, other than a replacement main, having a diameter of 10 inches or less to which direct connections are made to receive the discharge of sanitary sewage from the premises of owners;
- (g) "service water main" means a water main, other than a replacement main, having a diameter of 6

inches or less from which direct connections are made for the supply of water to consumers;

(h) "Trafalgar" means The Corporation of the Township of Trafalgar;

R.S.O. 1950,
c. 320

(i) "utility" includes any public utility, as defined in section 1 of *The Public Utilities Act*, any sanitary sewage and storm drainage works and any work for the supply of electrical energy in Trafalgar, the control and management of which are not by this Act entrusted to the Commission.

Commission
established

2.—(1) A commission is hereby established to be known as "The Oakville-Trafalgar Public Utilities Commission".

Corporate
body

(2) The Commission is a body corporate.

Composition

(3) The Commission shall consist of five members, two of whom shall be elected by general vote of the electors of Oakville, two of whom shall be elected by general vote of the electors of Trafalgar, and a chairman, who shall not be one of the four elected members, shall be appointed by the elected members.

Qualification

(4) Every member,

(a) elected by the electors of Oakville shall be a person who is qualified to be elected a member of the council of Oakville; and

(b) elected by the electors of Trafalgar shall be a person who is qualified to be elected a member of the council of Trafalgar; and

(c) appointed as chairman shall be a person who is qualified to be elected a member of the council of Oakville or Trafalgar.

Term of
members

(5) The elected members of the Commission shall hold office for a period of two years or until their successors are elected.

Term of
chairman

(6) The chairman shall hold office for a period of two years or until the regular term of the elected members expires, whichever first occurs.

Vacancy
among
elected
members

(7) Where a vacancy occurs among the elected members of the Commission from any cause, the remaining members of the Commission shall appoint a successor from among the persons qualified to be elected to the council of the muni-

city from which the member whose seat is vacant was elected, and the person so appointed shall hold office for the remainder of the term for which his predecessor was elected.

(8) Where a vacancy occurs in the office of chairman ^{Vacancy in office of chairman} from any cause, the members shall appoint a successor for the remainder of the term for which his predecessor was appointed.

(9) Where the elected members fail to appoint a chairman ^{Chairman} within thirty days after a vacancy occurs in the office of chairman, the chairman shall be appointed by the Lieutenant Governor in Council.

(10) Except as otherwise expressly provided in this Act, ^{Election of members} the provisions of *The Municipal Act* respecting the election of the head of a municipal council apply *mutatis mutandis* to ^{R.S.O. 1950, c. 243} the election of the members of the Commission.

(11) Three members of the Commission constitute a ^{Quorum} quorum.

(12) The present elected members of the Existing Com- ^{Members of first Commission} missions, excluding the heads of the councils of Oakville and of Trafalgar, constitute the elected members of the Commission for the years 1960 and 1961, and a chairman shall be appointed forthwith in accordance with this Act.

(13) The first election of members of the Commission shall ^{First election} be held in the year 1961 for the years 1962 and 1963, and thereafter the elections shall be held every second year in both Oakville and Trafalgar for the election of members of the Commission.

3.—(1) Subject to the other provisions of this Act and to subsection 4 of section 41 of *The Public Utilities Act*, ^{Water and electric utilities entrusted to Commission} the Commission is entrusted with the control and management of the water production and distribution systems of Oakville and Trafalgar, and all works for the supply and distribution of electrical power and energy in Oakville and in that part of Trafalgar that is described in Schedule A hereto, and all the powers, rights, authorities and privileges in connection therewith that are by *The Public Utilities Act*, *The Power Commission Act* and *The Municipal Act* conferred upon each ^{R.S.O. 1950, cc. 320, 281, 243} municipal corporation and the Existing Commissions, shall be exercised by the Commission and not by the councils of Oakville and Trafalgar.

(2) The councils of Oakville and Trafalgar, by by-laws ^{Other utilities} to be passed by each council to take effect concurrently, may entrust to the Commission the control and management of

any other utility with the same powers, rights, authorities and privileges as are set out in subsection 1.

Control
and
management

(3) The Commission has control and management of the design, construction and installation of all works required for every utility, the control and management of which are entrusted to the Commission.

Extension
of utility
into another
municipality

(4) No part of the works of any utility under the control and management of the Commission shall be undertaken in or extended into, and no supply of such utility shall be furnished to or in, any municipality other than Oakville and Trafalgar without the consents of the councils of Oakville and Trafalgar, to be expressed by by-law.

Employees

4.—(1) The officers and employees of the Existing Commissions shall be continued until removed by the Commission, unless their engagements sooner terminate.

Tenure

(2) Every officer, employee and servant of the Commission shall hold office during the pleasure of the Commission.

Initiation
of works

5.—(1) The Commission shall initiate all works that in the opinion of the Commission are required for the better functioning of the utilities under its control and management.

Proposal
for con-
struction
of work

(2) Upon initiating any proposal for the construction of a work, the whole cost of which is not to be provided from available funds of the Commission, the Commission shall set forth in a request to each municipality its recommendation as to the sums to be provided by each municipality to meet the capital cost of the proposal.

Approval
by munici-
palities
R.S.O. 1950,
c. 262

(3) If the councils of Oakville and Trafalgar by by-law approve of the request, then, subject to *The Ontario Municipal Board Act*, each municipality shall provide the sum for which it is responsible and may borrow such sum by the issue of debentures.

Application
to
Municipal
Board

(4) If the councils of Oakville and Trafalgar do not by by-law, enacted within sixty days of the receipt of the request, approve of it, the Commission or either municipality may apply to the Board for an order approving the proposal and the Board may approve or not approve the proposal as made or approve it with such variation as the Board deems just, and may direct the municipalities to provide the funds in such proportion and in such manner as the Board deems just, and each municipality shall comply with the order.

(5) In the event that either municipality requests the construction of a work for the better functioning of a utility under the control and management of the Commission and the Commission declines to initiate or for a period of sixty days after receipt of the request does not initiate a proposal for the establishment of the work, the municipality seeking the initiation may apply to the Board in like manner and with like effect as is provided for in subsection 4.

Initiation of proposal requested by municipality

6.—(1) Moneys required for the construction of any work, subject to subsections 3 and 4 and subject to any order of the Board declaring otherwise, shall be apportioned between the two municipalities in the ratio of their respective last revised assessments as of the 31st day of December in the preceding year.

Apportionment of cost of construction

(2) If such assessments of the two municipalities shall, on equalization for county purposes, be fixed for such purposes at different proportions of their actual amounts, an adjustment shall be made against the municipality whose assessment appears thereby to have been too low in favour of the municipality whose assessment appears to have been too high, and any sum appearing on such adjustment shall be taken into account upon the next request for moneys for the purposes set forth in subsection 1.

Adjustment on equalization of assessment

(3) Notwithstanding the foregoing provisions and subject to *The Ontario Municipal Board Act*, either municipality may agree with the Commission to provide, by borrowing by the issue of debentures, or otherwise, any sum of money required for the construction of any work comprising part of a utility under the control and management of the Commission.

Municipality may agree with Commission to provide any sum for construction R.S.O. 1950, c. 262

(4) In respect of the construction of any water main or any sanitary sewage main designed and available to serve abutting lands,

Cost of construction to be borne by municipality in which work is situated

- (a) all moneys required for the construction of service water mains and service sewers shall be supplied by the municipality in which the work is situated;
- (b) the moneys required for the construction of any water main or sanitary sewage main of a size greater than that of a service water main or service sewer shall, to the extent of the cost of a service water main or service sewer designed to serve the abutting lands, be supplied by the municipality in which the work is constructed; and
- (c) each municipality may borrow by the issue of debentures the moneys that it is required by this subsection to supply.

Commission
may
requisition
sums

(5) The Commission, on commencing any work for the construction of any utility under its control and management, the whole cost of which cannot be provided from money available to the Commission, shall from time to time requisition in writing from each municipality the sums to be expended.

Trafalgar
to pay
cost to
complete
electrical
utility

(6) Trafalgar shall pay the cost of acquiring from The Hydro-Electric Power Commission of Ontario such assets for the supply of electrical power as are necessary for the complete establishment of the electrical utility, the control and management of which are hereby entrusted to the Commission, and may issue debentures therefor.

Special
levies

7. Nothing in this Act affects the right of either municipality to establish special levies in the municipality, or a defined area thereof, for any utility under the control and management of the Commission, whether such levy is made under *The Local Improvement Act*, *The Municipal Act* or any other Act, but no such special levy shall be imposed in either municipality, or a defined area thereof, without the approval of the Board.

R.S.O. 1950,
cc. 215, 243

Rates and
charges not
otherwise
provided

8.—(1) The Commission, in respect of any utility the rates or charges for which are not herein otherwise provided for, shall fix the rates and charges, including hydrant rentals in respect of the water utility, at an amount sufficient to provide for the supply of the utility and to repay the principal of and interest on all moneys borrowed in respect of the utility to the extent that the repayment of such moneys is not provided for by special assessments or special levies or by contributions that are governed by section 312a of *The Municipal Act* or is not borrowed under subsection 4 of section 6 of this Act.

R.S.O. 1950,
c. 243

Electrical
utility
rates

(2) The Commission, in respect of the electrical utility under its control and management, shall fix the rates and charges at an amount sufficient to provide for the supply of the utility and to repay the principal of and interest on all moneys borrowed in respect of the utility, including any moneys borrowed to purchase the plant and equipment of that part of the rural district to be taken over from The Hydro-Electric Power Commission of Ontario, all in accordance with and subject to *The Public Utilities Act* and *The Power Commission Act*.

R.S.O. 1950,
cc. 320, 281

Sewer
utility
charge

(3) The Commission, in respect of any sewer utility under its control and management, shall, on or before the 31st day of January in each year, fix the annual charge to be paid by each municipality, so that the charge,

(a) shall include an amount sufficient to provide for the operating expenses of the utility and to repay the

principal of and interest on all moneys borrowed in respect of the utility to the extent that the repayment of such moneys is not provided for by special assessments or by special levies or by contributions that are governed by section 312a of *The Municipal Act* or is not borrowed under subsection 4 of section 6 of this Act: R.S.O. 1950,
c. 243

- (b) shall be decreased by the amount of any surplus from the preceding year or increased by the amount of any deficit from the preceding year; and
- (c) shall be apportioned between the two municipalities in the ratio of their respective last revised assessments as of the 31st day of December in the preceding year, subject to adjustment as provided in subsection 2 of section 6.

(4) Upon receipt of particulars of the annual charge in respect of the sewer utility from the Commission, each municipality shall make payment thereof in four equal instalments on March 15, June 15, September 15 and December 15 in the same year, and any adjustment shall be made on payment of the last instalment. Particulars
of charge

9.—(1) The Commission shall keep separate accounts with respect to the utilities under its control and management. Separate
accounts

(2) The receipts arising from the supply of electrical energy shall be used and applied as directed by *The Power Commission Act* and *The Public Utilities Act*. Use of
receipts,
from
electrical
utility
R.S.O. 1950,
cc. 281, 320

(3) The receipts arising from the rates and charges for the supply of the water utility and any other utility to which subsection 1 of section 8 applies and all other income in respect of the relevant utility shall be applied, from water
utility, etc.

- (a) to the payment of the current expenditures of the utility;
- (b) to the payment to the treasurer of each municipality of the sums required to repay the principal of and interest on all moneys borrowed in respect of the utility to the extent that provision for the repayment of such moneys is not otherwise made;
- (c) to the maintenance, repair and renewal of the utility; and

- (d) to the establishment of a reserve fund to which may be added any surplus remaining at the year's end from receipts over and above the amount necessary to provide for the matters in clauses *a*, *b* and *c*.

Reserve
fund

(4) The reserve fund established under clause *d* of subsection 3 may be expended by the Commission as required for capital expenditures in connection with the utility, and any part thereof that is not immediately required may be invested in such securities as a trustee may invest in under *The Trustee Act*.

R.S.O. 1950,
c. 400

Use of
receipts,
from
sewer
utility

(5) The receipts arising from the charges for any sewer utility and all other income in respect of the relevant utility shall be applied,

(a) to the payment of the current expenditures of the utility;

(b) to the payment to the treasurer of each municipality of the sums required to repay the principal of and interest on all moneys borrowed in respect of the utility to the extent that provision for the repayment of such moneys is not otherwise made; and

(c) to the maintenance and repair of the utility,

and any balance remaining shall be deemed a surplus to be taken into account in reduction of the charge for the succeeding year.

Land in
Oakville and
Trafalgar,
acquisition

10.—(1) Any land, easement, right-of-way or other interest in land of any nature required for the use of the Commission for the purpose of any utility under its control and management may be acquired or expropriated by the municipality in which the land is situate upon receipt of a requisition from the Commission setting forth particulars of the land, easement, right-of-way or other interest in land required.

Land
situate
outside
Oakville
and
Trafalgar

(2) Any land situate outside Oakville and Trafalgar and any easement, right-of-way or other interest in such land of any nature required for the use of the Commission for the purpose of any such utility may be acquired or expropriated by the municipality that receives from the Commission a requisition setting forth the particulars of the land, easement, right-of-way or other interest in the land required.

Application
to
Municipal
Board

(3) If the municipality to which the requisition is addressed refuses to acquire or expropriate in accordance therewith or fails to act thereon within sixty days of the receipt of the

requisition, the Commission may apply to the Board for an order approving the requisition and the Board may approve or not approve the requisition as made or may approve it with such variation as the Board deems just, and may direct the municipality to act upon such approval, and upon an order being made the municipality shall comply therewith.

(4) Where the cost of such acquisition or expropriation cannot be provided from the reserve fund of the utility, it shall be provided in the manner set forth in section 6. ^{Cost of acquisition of land}

(5) No land, easement, right-of-way or other interest in land used by the Commission for the purpose of any utility under its control and management shall be disposed of or otherwise dealt with by the municipality in which it is situate without the consent of the Commission and of the council of the other municipality, and the proceeds of any disposition shall form part of the reserve fund of the relevant utility. ^{Disposal of land}

(6) The Commission may without the consent of either municipality dispose of such supplies and equipment as the Commission deems surplus and no longer required by it for any utility under its control and management. ^{Disposal of supplies, etc.}

11.—(1) The Existing Commissions cease to exist and are hereby dissolved. ^{Existing Commissions dissolved}

(2) Upon such dissolution, Idem

- (a) except as otherwise provided in clause *d*, all assets of the Existing Commissions, including all rights arising from claims of the Existing Commissions and of either municipality on behalf of the Existing Commissions, are hereby vested in the Commission;
- (b) the contract dated the 15th day of December, 1955, and all amendments thereto, made between the Existing Commissions in respect of the supply and distribution of water, are hereby terminated;
- (c) all other contracts of the Existing Commissions are contracts of the Commission to the same extent and effect as if the Commission had been a party thereto;
- (d) all lands, easements, rights-of-way and other interests in land heretofore acquired by or for either of the Existing Commissions are vested in the municipality that acquired them, or the Existing Commission of which acquired them, and the control and management thereof are hereby entrusted to the Commission;

(e) all moneys held in trust by either municipality for the provision of utilities under the control and management of the Commission shall be paid or transferred to the Commission and shall be held by it and may be expended by it as provided by section 312a of *The Municipal Act*; and

R.S.O. 1950,
c. 243

(f) the Commission is liable for all accounts payable, all other debts of the Existing Commissions and all liabilities of the Existing Commissions that arise out of the acts of the Existing Commissions.

Application
of
R.S.O. 1950,
cc. 281, 320

12. With respect to the electrical utility, *The Power Commission Act* applies and, except as otherwise expressly provided by this Act, *The Public Utilities Act* applies to the Commission.

Agreement
validated

13. The agreement dated the 16th day of November, 1959, made between Oakville of the First Part, Trafalgar of the Second Part and the Existing Commissions of the Third Part, set forth as Schedule B hereto, is hereby declared to be and to have been from the date thereof legal, valid and binding upon the parties thereto and debentures may be issued in accordance therewith.

Area for
supply of
electrical
energy

14. Notwithstanding anything contained in subsection 12 of section 66 of *The Power Commission Act*, the area for the supply of electrical energy in the Township of Trafalgar as presently existing is hereby enlarged to include the area set out in Schedule A hereto.

1939, c. 75,
repealed

15. *The Township of Trafalgar Act, 1939* is repealed.

Commence-
ment

16. This Act comes into force on the 1st day of July, 1960.

Short title

17. This Act may be cited as *The Oakville-Trafalgar Public Utilities Commission Act, 1960*.

SCHEDULE A

The Town of Oakville and that part of the Township of Trafalgar lying south-easterly of the line between the north-westerly halves and the south-easterly halves of Lots 1 to 35 inclusive in the Second Concession north of Dundas Street of the said Township of Trafalgar.

SCHEDULE B

THIS AGREEMENT made in quadruplicate this sixteenth day of November in the year of our Lord one thousand nine hundred and fifty-nine.

BETWEEN:

THE CORPORATION OF THE TOWN OF OAKVILLE,
hereinafter called Oakville,

OF THE FIRST PART,

—and—

THE CORPORATION OF THE TOWNSHIP OF TRAFALGAR,
hereinafter called Trafalgar,

OF THE SECOND PART,

—and—

THE OAKVILLE PUBLIC UTILITIES COMMISSION
and THE TRAFALGAR PUBLIC UTILITIES COMMISSION,
hereinafter called the Commissions,

OF THE THIRD PART.

WHEREAS the Councils of Oakville and Trafalgar have agreed to certain principles and recommendations for the implementation of an Act of the Ontario Legislature to unify the Commissions.

AND WHEREAS a special committee of the two Municipalities respecting joint utilities have further agreed and recommended that Trafalgar raise by way of debenture or otherwise the total sum of \$564,500.00 to contribute to the equalization of the capital investment of both Municipalities in the waterworks plant and distribution system, which recommendation of the said joint committee respecting joint utilities has been approved by the Councils of both Oakville and Trafalgar.

AND WHEREAS a part of the monies agreed to be supplied by Trafalgar are required for works to be done at the Oakville water plant within the Town of Oakville in the estimated amount of \$226,500.00 and the necessity for such work is urgent to secure the necessary supply of water for the summer of 1960.

AND WHEREAS Oakville and Trafalgar deem it desirous to enter into this Agreement for the provision of the necessary money to implement the works at the Oakville water plant with the Commissions consenting thereto.

AND WHEREAS this Agreement is recommended to Oakville, Trafalgar and both Commissions by the special committee respecting joint utilities.

NOW THEREFORE in consideration of these premises and other valuable consideration it is agreed as follows:

1. Trafalgar agrees to raise by way of debentures or otherwise a sum now estimated to be \$226,500.00 for the necessary works to the Oakville water plant within the Town of Oakville, in accordance with the recommendations of the Consulting Engineers of the Commissions.

2. Trafalgar further agrees that the monies so raised by debenture or otherwise by Trafalgar for the necessary and approved work shall be paid to the Oakville Public Utilities Commission, that all work done at the said

water plant in the Town of Oakville shall be under the supervision and control of the Oakville Public Utilities Commission and shall be designed and supervised by the Consulting Engineer of the said last-mentioned Commission.

3. Oakville and Trafalgar agree to and with each other that from the date any monies for the necessary improvements to the Oakville water plant are advanced by Trafalgar, the Oakville water plant, including all facilities for pumping and filtration of water, shall be jointly owned by Oakville and Trafalgar to the extent of the investment of each Municipality in the said water plant, provided, however, that the maintenance and operation of the said water plant shall remain and be vested in the Oakville Public Utilities Commission who shall operate and manage the said plant for the joint use of both Oakville and Trafalgar.

4. Oakville and Trafalgar further agree to and with each other that in the event the aforementioned Act of the Legislature is passed and assented to with respect to the unification of the two Commissions, the said Act will provide either that the debentures or capital required under this Agreement shall be issued pursuant to the authority of the said Act, or, to the extent that such debentures are issued and the capital then provided, that the issuance or provision of the capital is validated.

5. That in the event that the aforesaid Act of the Legislature is not approved or passed and Oakville at that time wishes to assume sole ownership of the Oakville water plant, Oakville may, on six months' written notice to Trafalgar, repay to Trafalgar the amount of any capital advanced under this Agreement, or the outstanding balance thereof, and upon such repayment any joint ownership of the plant by Trafalgar shall cease from the date of such repayment.

6. Oakville, Trafalgar and the Commissions further agree that the cost of retiring the capital provided herein, including principal and interest, for any amounts advanced pursuant to this Agreement shall be paid by the Oakville Public Utilities Commission from the basic rates charged for water for all consumers in the area served by the Oakville water treatment plant.

7. Oakville, Trafalgar and the Commissions further agree to and with each other that the amount of the capital advanced under this Agreement, and the amounts of any other capital raised by Trafalgar for water services within Oakville, shall be taken into account along with the existing capital expenditure of Oakville, in the rate study presently authorized to be completed by Mr. Ross Skinner, of Clarkson, Gordon & Company, as authorized by resolution of the special committee dealing with joint utilities.

8. Trafalgar agrees with Oakville that nothing in this Agreement shall in any way affect or diminish the present existing Agreement by Trafalgar to supply the necessary capital for the extension of the trunk main on Allan Street to the Davis Street pumping Station, the improvements in the said pumping station and the extension of the trunk main on Rebecca Street westerly, which work shall be commenced as soon as reasonably possible with the necessary capital provided by Trafalgar under the authority now existing under *The Public Utilities Act* and *The Municipal Act*.

9. The Commissions agree to and with each other that nothing in this Agreement shall affect the rates or other terms of the existing water Agreement between the two Commissions, dated the 15th day of September, 1955, except with respect to the provisions of paragraph 3 hereof wherein Trafalgar, to the extent of its investment, is a joint owner of the Oakville water treatment plant, and, further, except to any adjustment in rates that may result from the rate study presently authorized to be completed and referred to in paragraph 7 hereof.

10. All debenture By-laws or any undertakings or Agreements with respect to the supply of capital by Trafalgar shall be subject to the approval of the Ontario Municipal Board.

IN WITNESS WHEREOF the corporate seals of Oakville and Trafalgar have been hereunto affixed duly attested by the respective heads of Council and Clerks thereof, the execution of this Agreement having been approved by By-law of each Municipality, and the corporate seals of the Commissions have been hereunto affixed duly attested by their proper signing officers. The execution of this Agreement by the Trafalgar Public Utilities Commission shall be deemed to include any powers exercised by such commission under the provisions of *The Lakeshore Water Commission Act*, Ontario Statutes 1939, Chapter 75.

SIGNED, SEALED AND DELIVERED

THE CORPORATION OF THE TOWN OF
OAKVILLE:

WILLIAM ANDERSON,
Mayor.

D. A. CAMM,
Clerk.

THE CORPORATION OF THE TOWN-
SHIP OF TRAFALGAR:

F. A. PHILLIPS,
Reeve.

F. S. FEATHERSTON,
Clerk.

THE OAKVILLE PUBLIC UTILITIES
COMMISSION:

H. B. LOFQUIST,
Chairman.

B. BARLOW,
Manager and Secretary.

THE TRAFALGAR PUBLIC UTILITIES
COMMISSION:

G. W. LEAVER,
Chairman.







An Act respecting the Town of Oakville
and the Township of Trafalgar

1st Reading

February 11th, 1960

2nd Reading

February 26th, 1960

3rd Reading

March 3rd, 1960

MR. HALL

BILL Pr35

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Belleville

MR. SANDERCOCK

(PRIVATE BILL)

BILL Pr35

1960

An Act respecting the City of Belleville

WHEREAS The Corporation of the City of Belleville, Preamble
 herein called the Corporation, by its petition has
 prayed for special legislation in respect of the matters herein-
 after set forth; and whereas it is expedient to grant the
 prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. Notwithstanding any general or special Act and subject Floating indebtedness debentures and special rates for payment thereof
 to the approval of the Ontario Municipal Board first being
 obtained, the council of the Corporation may pass by-laws,

- (a) providing for the issue of debentures of the Corporation in an aggregate principal amount not exceeding the amount of all floating indebtedness of the Corporation outstanding as at December 31, 1959, and not provided for in the estimates of the Corporation for the year 1959 and preceding years, such debentures to be repayable in the years 1960 to 1964, both inclusive;
- (b) providing for the levying of a special rate or rates in the year 1960 on all the assessment for property and business assessment in the City of Belleville according to the last revised assessment roll of the Corporation, except property and business assessment in those areas annexed to the City of Belleville on the 1st day of January, 1959, for the purpose of payment of that portion of the debentures issued in respect of such floating indebtedness as was incurred prior to the 1st day of January, 1959, and interest on such portion of the debentures;
- (c) providing for the levying of a special rate or rates in the year 1960 on all the assessment for property and business assessment in the City of Belleville

according to the last revised assessment roll of the Corporation for the purpose of payment of the remainder of such debentures and interest thereon;

- (d) providing for the payment of such special rates in equal instalments in the years 1960 to 1964, both inclusive, and providing for commutation for payment in cash of such annual instalments, and providing for the collection of such special rates, all on such terms and conditions as the by-law or by-laws specify.

Application
of special
rate
receipts

2. The special rates imposed by by-law under clauses *b* and *c* of section 1 and any payments in commutation thereof shall form a special fund for the payment of the debentures issued under the by-law provided for in clause *a* of section 1 and the interest thereon and shall not be applicable to or be applied for any other purpose.

Deficiency
in receipts
from special
rates

3. If in any year the amount realized from the special rates imposed by the by-laws provided for in clauses *b* and *c* of section 1 is insufficient to pay the amount falling due for principal and interest in such year in respect of the debentures issued under the by-law provided for in clause *a* of section 1, the council shall provide for the deficiency in the estimates for the following year and levy and collect the same by general rate on all the assessment for property and business assessment in the City of Belleville.

Special
rates
deemed
taxes

4. The special rates imposed by the by-laws referred to in clauses *b* and *c* of section 1 shall for all purposes of every Act be deemed to be municipal taxes imposed in the year 1960 except that no taxpayer shall be deemed to be in default in respect of any such rate if he pays on or before the due date the instalments as provided for in the by-law imposing such rate.

Penalties
and interest

5. The by-laws referred to in clauses *b* and *c* of section 1 may contain provisions with respect to the charging of interest and penalties on unpaid instalments in the same manner as may be provided with respect to unpaid taxes and may contain such further and other provisions as the Ontario Municipal Board may approve.

Power to
enter into
undertakings
and to incur
floating in-
debtedness

6. Notwithstanding any general or special Act, the Corporation shall be deemed to have had power to enter into the undertakings in respect of which the floating indebtedness referred to in clause *a* of section 1 was incurred, and shall be deemed to have legally incurred such floating indebtedness.

7. The by-laws referred to in section 1, when passed after Validation of by-laws the approval of the Ontario Municipal Board, shall be and are hereby declared to be legal, valid and binding upon the Corporation and the ratepayers thereof.

8. Sections 61, 62, 63 and 64 of *The Ontario Municipal Application Board Act* apply in respect of the by-law referred to in R.S.O. 1950, clause *a* of section 1 and the debentures to be issued there-ss. 61-64 under.

9. This Act comes into force on the day it receives Royal Commence-ment Assent.

10. This Act may be cited as *The City of Belleville Act, 1960*. Short title





An Act respecting the
City of Belleville

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. SANDERCOCK

(*Private Bill*)

BILL Pr35

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Belleville

MR. SANDERCOCK

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr35

1960

An Act respecting the City of Belleville

WHEREAS The Corporation of the City of Belleville, Preamble
 herein called the Corporation, by its petition has
 prayed for special legislation in respect of the matters herein-
 after set forth; and whereas it is expedient to grant the
 prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

PART I

FLOATING INDEBTEDNESS

1. Notwithstanding any general or special Act and subject Floating indebtedness debentures and special rates for payment thereof
 to the approval of the Ontario Municipal Board first being
 obtained, the council of the Corporation may pass by-laws,

- (a) providing for the issue of debentures of the Corporation in an aggregate principal amount not exceeding the amount of all floating indebtedness, whether or not legally incurred, of the Corporation outstanding as at December 31, 1959, and not provided for in the estimates of the Corporation for the year 1959 and preceding years, excluding that portion of such floating indebtedness that was incurred in connection with the acquisition of lands and premises, and the improvement and maintenance thereof, for public parking purposes, such debentures to be repayable in the years 1960 to 1964, both inclusive;
- (b) providing for the issue of debentures of the Corporation in an aggregate principal amount not exceeding the total amount of floating indebtedness, whether or not legally incurred, of the Corporation outstanding as at December 31, 1959, that was incurred in connection with the acquisition of lands and premises,

and the improvement and maintenance thereof, for public parking purposes, such debentures to be repayable over such number of years as the Ontario Municipal Board may approve;

- (c) providing for the levying of a special rate or rates in the year 1960 on all the assessment for property and business assessment in the City of Belleville according to the last revised assessment roll of the Corporation, except property and business assessment in those areas annexed to the City of Belleville on the 1st day of January, 1959, for the purpose of payment of that portion of the debentures issued under clause *a* in respect of such floating indebtedness as was incurred prior to the 1st day of January, 1959, and interest on such portion of the debentures;
- (d) providing for the levying of a special rate or rates in the year 1960 on all the assessment for property and business assessment in the City of Belleville according to the last revised assessment roll of the Corporation for the purpose of payment of the remainder of such debentures, issued under clause *a*, and interest thereon;
- (e) providing for the payment of such special rates in equal instalments in the years 1960 to 1964, both inclusive, and providing for commutation for payment in cash of such annual instalments, and providing for the collection of such special rates, all on such terms and conditions as the by-law or by-laws specify.

Parking
authority,
rates and
charges

2. The Parking Authority of the City of Belleville, in fixing the rates and charges for the use of parking facilities under its control and management so that the revenue therefrom shall be sufficient to make such parking facilities self-sustaining, shall have regard to the payments of principal and interest required to be made in respect of the debentures to be issued under the by-law provided for in clause *b* of section 1.

Application
of special
rate
receipts

3. The special rates imposed by by-law under clauses *c* and *d* of section 1 and any payments in commutation thereof shall form a special fund for the payment of the debentures issued under the by-law provided for in clause *a* of section 1 and the interest thereon and shall not be applicable to or be applied for any other purpose.

Special
rates
deemed
taxes

4. The special rates imposed by the by-laws referred to in clauses *c* and *d* of section 1 shall for all purposes of every Act be deemed to be municipal taxes imposed in the year 1960

except that no taxpayer shall be deemed to be in default in respect of any such rate if he pays on or before the due date the instalments as provided for in the by-law imposing such rate.

5. The by-laws referred to in clauses *c* and *d* of section 1 may contain provisions with respect to the charging of interest and penalties on unpaid instalments in the same manner as may be provided with respect to unpaid taxes and may contain such further and other provisions as the council of the Corporation considers necessary to properly carry out the provisions of this Part and as are approved by the Ontario Municipal Board. Penalties and interest

6. Notwithstanding any general or special Act, the Corporation shall be deemed to have had power to enter into the undertakings in respect of which the floating indebtedness referred to in clauses *a* and *b* of section 1 was incurred, and in respect of which the Ontario Municipal Board has approved the issue of debentures pursuant to section 1, and shall be deemed to have legally incurred such floating indebtedness. Power to enter into undertakings and to incur floating indebtedness

7. The by-laws referred to in section 1, when passed after the approval of the Ontario Municipal Board, shall be and are hereby declared to be legal, valid and binding upon the Corporation and the ratepayers thereof. Validation of by-laws

8. Sections 61, 62, 63 and 64 of *The Ontario Municipal Board Act* apply in respect of the by-law referred to in clauses *a* and *b* of section 1 and the debentures to be issued thereunder. Application of R.S.O. 1950, c. 262, ss. 61-64

9. Without limiting the generality of section 4, sections 50 and 51a of *The Assessment Act* shall apply, but section 51 of that Act shall not apply, with respect to the rates imposed by the by-laws referred to in clauses *c* and *d* of section 1. Application of R.S.O. 1950, c. 24, ss. 50, 51, 51a

PART II

BUS TRANSPORTATION SYSTEM

10. The council of the Corporation is hereby authorized, Establishment of passenger bus transportation system
- (a) subject to the approval of the Minister of Municipal Affairs, to grant a franchise to any person to provide and operate a passenger bus transportation system within the limits of the City of Belleville, and to enter into an agreement with such person to establish the terms and conditions of the granting of such

franchise, which agreement may provide for the payment by the Corporation of a subsidy to such person;

- (b) to establish, maintain, extend and operate a passenger bus transportation system, hereinafter called the "system", within the City of Belleville and, without limiting the generality of the foregoing for such purposes,
 - (i) to enter into a contract for the acquisition by immediate purchase or otherwise of all or any part of the equipment and property of The Rawson Bus Company Limited and to purchase or lease any other real or personal property required,
 - (ii) to fix the transportation fares, tolls and routes and to make regulations with respect to the operation and control of the system,
 - (iii) subject to the provisions of *The Highway Traffic Act* and *The Public Vehicles Act*, to transport and convey passengers throughout Ontario, whether by chartered trips or otherwise,
 - (iv) to enter into an agreement with any adjoining municipality for the purpose of extending and operating the system within the limits of such adjoining municipality,
 - (v) to issue debentures for the purpose of defraying the costs of establishing, maintaining and extending the system, and to agree from time to time with any chartered bank for temporary advances to meet the expenses of the system,
 - (vi) to entrust by by-law the management, operation, maintenance, extension and control of the system to the Public Utilities Commission of the City of Belleville, hereinafter referred to as the "Commission", or to a Transportation Commission to be specially formed for that purpose, hereinafter referred to as the "Special Commission".

R.S.O. 1950,
cc. 167, 322

11. In the event that the council entrusts the management and control of the system to the Commission or Special Commission, the following provisions shall apply:

Entrusting
manage-
ment and
operation
to a
commission

(a) If a Special Commission is formed,

- (i) it shall consist of not less than three and not more than five members, none of whom shall be members of council, but all of whom shall be qualified to be elected as members of council, appointed by resolution of council for a term, except in the case of the first appointments, of three years,
- (ii) of the members first appointed, one shall be appointed for a term of three years, one for a term of two years and the remaining member or members for a term of one year,
- (iii) if a vacancy occurs during the term of a member, such vacancy shall be filled by resolution of the council and the person appointed shall hold office during the unexpired term of his predecessor,
- (iv) any member shall be eligible for re-appointment on the expiration of his term of office,
- (v) the members shall select, yearly, a chairman from among their members.

(b) The Commission or Special Commission shall, subject to the approval of council, fix the transportation fares, tolls and routes and make regulations with respect to the operation and control of the system.

(c) The fiscal year of the Commission or Special Commission shall be the calendar year, and the accounts of the Commission or Special Commission shall be audited at the expense of the Commission or Special Commission by the auditors of the Corporation, and the Commission or Special Commission shall, within one month of the receipt by it of such auditors' report, deliver to the council a complete audited and certified financial report, including a balance sheet of assets and liabilities, and a statement of revenue and expenditures and showing the operating profit or loss for the preceding year and, if such statement shows an operating deficit, showing the

amount of the net operating deficit after applying any profit from previous years' operations in reduction thereof.

- (d) The Commission or Special Commission shall, before the 15th day of February in each year or such later date as may be established by by-law of the council, submit to the council an estimate of any moneys required to pay any net operating deficit of the system during the preceding calendar year, and the council shall include the same in its estimates for the year and levy therefor, and shall pay over to the Commission the amount of any such net operating deficit as shown by the auditors' statement for such calendar year.
- (e) The Commission or Special Commission shall provide for and pay over to the Corporation, but only out of revenues of the system, such amounts as may be required to pay and retire principal and interest charges on any debentures issued by the Corporation with respect to the acquisition, extension or improvement of the system.
- (f) The Commission or Special Commission may agree from time to time, with the approval of council, with any chartered bank for temporary advances to meet the expenses of the system.
- (g) The Commission or Special Commission shall not undertake the purchase of equipment or any extension or improvement of the system, the cost or any part of the cost of which is to be or may be provided for by the Corporation, unless an estimate of the expenditure required is first submitted to the council and such expenditure is approved by the council.
- (h) The council may approve of any such expenditure and cause the same to be raised by levy or by the issue and sale of debentures.
- (i) Clause g does not apply to any expenditures for the maintenance or renewal of existing equipment, provided that such expenditures are properly chargeable to the operating expenses of the year in which they are made and provided also that such expenditures are not to be met by the issue and sale of debentures.
- (j) Upon repeal of the by-law entrusting the management and operation of the system to the Commission or Special Commission, its undertakings, documents,

assets and liabilities relating to the system shall be assumed by the Corporation.

12. The council or, in the event that the council entrusts the management and control of the system to the Commission or Special Commission, the Commission or Special Commission, subject to the approval of the council, shall, so far as possible, fix such fares and tolls and establish such fare zones so that the revenue of the system shall be sufficient to make all transportation facilities of the system self-sustaining after providing for the maintenance, renewals, depreciation, debt charges and reserves as the council or the Commission or Special Commission, subject to the approval of the council, may think proper.

13. It is not necessary to secure the assent of the electors, or any class thereof, to any by-law passed by the council under this Part, including any by-law passed to authorize the issue of debentures for the purpose of the system and any by-law passed for the granting of a franchise to any person, with or without subsidy.

14. The Corporation has and shall be deemed to have had full power and authority to terminate by mutual agreement the franchise agreement between The Corporation of the City of Belleville and Thomas Frederick Rawson, which franchise agreement was assigned by Thomas Frederick Rawson to Rawson Bus Company Limited as of such date as may be or may have been agreed upon.

PART III

GENERAL

15. This Act comes into force on the day it receives Royal Assent.

16. This Act may be cited as *The City of Belleville Act, 1960*.



An Act respecting the
City of Belleville

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. SANDERCOCK

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr35

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Belleville

MR. SANDERCOCK

TORONTO
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BILL Pr35

1960

An Act respecting the City of Belleville

WHEREAS The Corporation of the City of Belleville, Preamble
 herein called the Corporation, by its petition has
 prayed for special legislation in respect of the matters herein-
 after set forth; and whereas it is expedient to grant the
 prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

PART I

FLOATING INDEBTEDNESS

1. Notwithstanding any general or special Act and subject Floating indebtedness debentures and special rates for payment thereof
 to the approval of the Ontario Municipal Board first being
 obtained, the council of the Corporation may pass by-laws,

- (a) providing for the issue of debentures of the Corporation in an aggregate principal amount not exceeding the amount of all floating indebtedness, whether or not legally incurred, of the Corporation outstanding as at December 31, 1959, and not provided for in the estimates of the Corporation for the year 1959 and preceding years, excluding that portion of such floating indebtedness that was incurred in connection with the acquisition of lands and premises, and the improvement and maintenance thereof, for public parking purposes, such debentures to be repayable in the years 1960 to 1964, both inclusive;
- (b) providing for the issue of debentures of the Corporation in an aggregate principal amount not exceeding the total amount of floating indebtedness, whether or not legally incurred, of the Corporation outstanding as at December 31, 1959, that was incurred in connection with the acquisition of lands and premises,

and the improvement and maintenance thereof, for public parking purposes, such debentures to be repayable over such number of years as the Ontario Municipal Board may approve;

- (c) providing for the levying of a special rate or rates in the year 1960 on all the assessment for property and business assessment in the City of Belleville according to the last revised assessment roll of the Corporation, except property and business assessment in those areas annexed to the City of Belleville on the 1st day of January, 1959, for the purpose of payment of that portion of the debentures issued under clause *a* in respect of such floating indebtedness as was incurred prior to the 1st day of January, 1959, and interest on such portion of the debentures;
- (d) providing for the levying of a special rate or rates in the year 1960 on all the assessment for property and business assessment in the City of Belleville according to the last revised assessment roll of the Corporation for the purpose of payment of the remainder of such debentures, issued under clause *a*, and interest thereon;
- (e) providing for the payment of such special rates in equal instalments in the years 1960 to 1964, both inclusive, and providing for commutation for payment in cash of such annual instalments, and providing for the collection of such special rates, all on such terms and conditions as the by-law or by-laws specify.

Parking
authority,
rates and
charges

2. The Parking Authority of the City of Belleville, in fixing the rates and charges for the use of parking facilities under its control and management so that the revenue therefrom shall be sufficient to make such parking facilities self-sustaining, shall have regard to the payments of principal and interest required to be made in respect of the debentures to be issued under the by-law provided for in clause *b* of section 1.

Application
of special
rate
receipts

3. The special rates imposed by by-law under clauses *c* and *d* of section 1 and any payments in commutation thereof shall form a special fund for the payment of the debentures issued under the by-law provided for in clause *a* of section 1 and the interest thereon and shall not be applicable to or be applied for any other purpose.

Special
rates
deemed
taxes

4. The special rates imposed by the by-laws referred to in clauses *c* and *d* of section 1 shall for all purposes of every Act be deemed to be municipal taxes imposed in the year 1960

except that no taxpayer shall be deemed to be in default in respect of any such rate if he pays on or before the due date the instalments as provided for in the by-law imposing such rate.

5. The by-laws referred to in clauses *c* and *d* of section 1 may contain provisions with respect to the charging of interest and penalties on unpaid instalments in the same manner as may be provided with respect to unpaid taxes and may contain such further and other provisions as the council of the Corporation considers necessary to properly carry out the provisions of this Part and as are approved by the Ontario Municipal Board. Penalties and interest

6. Notwithstanding any general or special Act, the Corporation shall be deemed to have had power to enter into the undertakings in respect of which the floating indebtedness referred to in clauses *a* and *b* of section 1 was incurred, and in respect of which the Ontario Municipal Board has approved the issue of debentures pursuant to section 1, and shall be deemed to have legally incurred such floating indebtedness. Power to enter into undertakings and to incur floating indebtedness

7. The by-laws referred to in section 1, when passed after the approval of the Ontario Municipal Board, shall be and are hereby declared to be legal, valid and binding upon the Corporation and the ratepayers thereof. Validation of by-laws

8. Sections 61, 62, 63 and 64 of *The Ontario Municipal Board Act* apply in respect of the by-laws referred to in clauses *a* and *b* of section 1 and the debentures to be issued thereunder. Application of R.S.O. 1950, c. 262, ss. 61-64

9. Without limiting the generality of section 4, sections 50 and 51a of *The Assessment Act* shall apply, but section 51 of that Act shall not apply, with respect to the rates imposed by the by-laws referred to in clauses *c* and *d* of section 1. Application of R.S.O. 1950, c. 24, ss. 50, 51, 51a

PART II

BUS TRANSPORTATION SYSTEM

10. The council of the Corporation is hereby authorized, Establishment of passenger bus transportation system
- (a) subject to the approval of the Minister of Municipal Affairs, to grant a franchise to any person to provide and operate a passenger bus transportation system within the limits of the City of Belleville, and to enter into an agreement with such person to establish the terms and conditions of the granting of such

franchise, which agreement may provide for the payment by the Corporation of a subsidy to such person;

- (b) to establish, maintain, extend and operate a passenger bus transportation system, hereinafter called the "system", within the City of Belleville and, without limiting the generality of the foregoing for such purposes,
 - (i) to enter into a contract for the acquisition by immediate purchase or otherwise of all or any part of the equipment and property of Rawson Bus Co. Limited and to purchase or lease any other real or personal property required,
 - (ii) to fix the transportation fares, tolls and routes and to make regulations with respect to the operation and control of the system,
 - (iii) subject to the provisions of *The Highway Traffic Act* and *The Public Vehicles Act*, to transport and convey passengers throughout Ontario, whether by chartered trips or otherwise,
 - (iv) to enter into an agreement with any adjoining municipality for the purpose of extending and operating the system within the limits of such adjoining municipality,
 - (v) to issue debentures for the purpose of defraying the costs of establishing, maintaining and extending the system, and to agree from time to time with any chartered bank for temporary advances to meet the expenses of the system,
 - (vi) to entrust by by-law the management, operation, maintenance, extension and control of the system to the Public Utilities Commission of the City of Belleville, hereinafter referred to as the "Commission", or to a Transportation Commission to be specially formed for that purpose, hereinafter referred to as the "Special Commission".

R.S.O. 1950,
cc. 167, 322

11. In the event that the council entrusts the management and control of the system to the Commission or Special Commission, the following provisions shall apply:

Entrusting
manage-
ment and
operation
to a
commission

- (a) If a Special Commission is formed,
 - (i) it shall consist of not less than three and not more than five members, none of whom shall be members of council, but all of whom shall be qualified to be elected as members of council, appointed by resolution of council for a term, except in the case of the first appointments, of three years,
 - (ii) of the members first appointed, one shall be appointed for a term of three years, one for a term of two years and the remaining member or members for a term of one year,
 - (iii) if a vacancy occurs during the term of a member, such vacancy shall be filled by resolution of the council and the person appointed shall hold office during the unexpired term of his predecessor,
 - (iv) any member shall be eligible for re-appointment on the expiration of his term of office,
 - (v) the members shall select, yearly, a chairman from among their members.
- (b) The Commission or Special Commission shall, subject to the approval of council, fix the transportation fares, tolls and routes and make regulations with respect to the operation and control of the system.
- (c) The fiscal year of the Commission or Special Commission shall be the calendar year, and the accounts of the Commission or Special Commission shall be audited at the expense of the Commission or Special Commission by the auditors of the Corporation, and the Commission or Special Commission shall, within one month of the receipt by it of such auditors' report, deliver to the council a complete audited and certified financial report, including a balance sheet of assets and liabilities, and a statement of revenue and expenditures and showing the operating profit or loss for the preceding year and, if such statement shows an operating deficit, showing the

amount of the net operating deficit after applying any profit from previous years' operations in reduction thereof.

- (d) The Commission or Special Commission shall, before the 15th day of February in each year or such later date as may be established by by-law of the council, submit to the council an estimate of any moneys required to pay any net operating deficit of the system during the preceding calendar year, and the council shall include the same in its estimates for the year and levy therefor, and shall pay over to the Commission the amount of any such net operating deficit as shown by the auditors' statement for such calendar year.
- (e) The Commission or Special Commission shall provide for and pay over to the Corporation, but only out of revenues of the system, such amounts as may be required to pay and retire principal and interest charges on any debentures issued by the Corporation with respect to the acquisition, extension or improvement of the system.
- (f) The Commission or Special Commission may agree from time to time, with the approval of council, with any chartered bank for temporary advances to meet the expenses of the system.
- (g) The Commission or Special Commission shall not undertake the purchase of equipment or any extension or improvement of the system, the cost or any part of the cost of which is to be or may be provided for by the Corporation, unless an estimate of the expenditure required is first submitted to the council and such expenditure is approved by the council.
- (h) The council may approve of any such expenditure and cause the same to be raised by levy or by the issue and sale of debentures.
- (i) Clause g does not apply to any expenditures for the maintenance or renewal of existing equipment, provided that such expenditures are properly chargeable to the operating expenses of the year in which they are made and provided also that such expenditures are not to be met by the issue and sale of debentures.
- (j) Upon repeal of the by-law entrusting the management and operation of the system to the Commission or Special Commission, its undertakings, documents,

assets and liabilities relating to the system shall be assumed by the Corporation.

12. The council or, in the event that the council entrusts ^{Fares and tolls} the management and control of the system to the Commission or Special Commission, the Commission or Special Commission, subject to the approval of the council, shall, so far as possible, fix such fares and tolls and establish such fare zones so that the revenue of the system shall be sufficient to make all transportation facilities of the system self-sustaining after providing for the maintenance, renewals, depreciation, debt charges and reserves as the council or the Commission or Special Commission, subject to the approval of the council, may think proper.

13. It is not necessary to secure the assent of the electors, ^{Assent of electors not required} or any class thereof, to any by-law passed by the council under this Part, including any by-law passed to authorize the issue of debentures for the purpose of the system and any by-law passed for the granting of a franchise to any person, with or without subsidy.

14. The Corporation has and shall be deemed to have had ^{Power to terminate franchise agreement} full power and authority to terminate by mutual agreement the franchise agreement between The Corporation of the City of Belleville and Thomas Frederick Rawson, which franchise agreement was assigned by Thomas Frederick Rawson to Rawson Bus Co. Limited as of such date as may be or may have been agreed upon.

PART III

GENERAL

15. This Act comes into force on the day it receives Royal ^{Commence-ment} Assent.

16. This Act may be cited as *The City of Belleville Act, 1960*. ^{Short title}





An Act respecting the
City of Belleville

1st Reading

February 11th, 1960

2nd Reading

March 8th, 1960

3rd Reading

March 17th, 1960

MR. SANDERCOCK

BILL Pr36

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act to incorporate Huntington University

MR. BOYER

(PRIVATE BILL)

**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY**

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has represented that it is desirous of extending its participation in higher education by establishing in Northern Ontario a church-related university having the power to federate with another university or other universities either church-related or non-denominational; and whereas the petitioner has prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means The Board of Regents of Huntington University;
- (b) "federated college" means a university or college federated with the University;
- (c) "President" means the President of the University;
- (d) "property" includes all property, both real and personal;
- (e) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and estate and interest therein;
- (f) "Senate" means the Senate of the University;
- (g) "University" means Huntington University.

2. Gordon H. Aiken, John W. Adamson, Dalton Caswell, University
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Norman G. Grant, Reverend Earl S. Lautenslager, Thomas M.

Palmer, Walter Tate, Thornley Virene, Donald Lough, Reverend Frank L. Stymiest, Dr. Robert Nelson, Chester Jury, Donald Best, Norman Wadge, Gordon Edwards, Walter Muncaster and such other persons as may hereafter be elected Chancellor, President or a member of the Board are hereby created a body corporate with perpetual succession and a common seal under the name of "Huntington University".

University
powers re
faculties,
degrees, etc.

3. The University has university powers, including,

- (a) the power to establish a college of Arts and Science, to be known as Huntington College, and such other colleges, faculties, schools, institutes, departments and chairs as may be determined by the Board, but the curricula of all courses of instruction shall be determined by the Senate;
- (b) the power to confer degrees, honorary degrees and awards in any and all the branches of learning, provided that, if the University enters into federation with a non-denominational university that has degree-granting powers, the degree-granting powers of the University, except in theology, shall be held in abeyance during such time as it remains in such federation;
- (c) the power to permit federation or affiliation of other colleges or universities with the University on such terms as the Board may decide.

Religious
tests not
to be
required

4. The University shall be carried on as a Christian school of learning, but no religious test shall be required of any professor, lecturer, teacher, officer, employee, servant or student of the University.

Property

R.S.O. 1950,
c. 184

5.—(1) The University has, in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*, power to acquire by purchase, lease, gift, devise, bequest or otherwise any real or personal property absolutely or in trust and to hold and enjoy any estate or property whatsoever and to sell, grant, exchange, convey, mortgage, lease and otherwise alienate the same or any part thereof from time to time as occasion may require and to acquire other estate and property in addition thereto without licence in mortmain and without limitation as to the period of holding.

University
powers

(2) The University has the power to,

- (a) borrow money on its credit in such amount, on such terms and from such persons, firms and corporations,

including chartered banks, as may be determined by the Board;

- (b) make, draw and endorse promissory notes or bills of exchange;
- (c) hypothecate, pledge or charge any or all personal and real property of the University to secure any money so borrowed or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) issue bonds, debentures and obligations on such terms and conditions as the Board may decide and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide and may mortgage, charge, hypothecate or pledge all or any part of the real or personal property of the University to secure any such bonds, debentures and obligations.

(3) The funds of the University not immediately required for its purposes and the proceeds of all property that come into the hands of the University, subject to any trusts affecting the same, may be invested under the powers of investment in the *Canadian and British Insurance Companies Act*, and all property and revenue of the University shall be applied for the attainment of the objects for which the University is constituted and to the payment of expenses to be incurred for objects connected with or depending on the purposes aforesaid. ^{Investment of surplus funds} ^{R.S.C. 1952, c. 31}

6. The property vested in the University shall not be liable to taxation for provincial, municipal or school purposes and shall be exempt from every description of taxation so long as it is actually used and occupied for the purpose of the University. ^{Tax exemption}

7. Real property vested in the University shall not be liable to be entered upon, used or taken by any corporation or by any person possessing the right of taking real property compulsorily for any purpose, and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto. ^{Real property not liable to expropriation}

8. All proceedings by or against the University may be had and taken in the name of "Huntington University". ^{Proceedings in name of University}

Liability
of members,
etc.

9. Nothing herein contained shall have the effect or be construed to have the effect of rendering all or any of the members or officers of the University, or any person whatsoever, individually liable or accountable for or by reason of any debt, contract or security incurred or entered into for or by reason of the University or for or on account of or in respect of any matter or thing whatsoever relating to the University.

Management
of
University

10. Except as to such matters as are by this Act specifically assigned to the Senate, the government, management and control of the University and of its property, revenues, expenditures, business and affairs are vested in a board under the name of "The Board of Regents of Huntington University" and the Board has all the powers necessary or convenient to perform its duties and achieve the objects and purposes of the University, including, without limiting the generality of the foregoing, power,

- (a) to appoint or remove the President;
- (b) to appoint or remove, on recommendation of the President, the Principal of Huntington College and the head of any other college, faculty, school or institute established by the University;
- (c) to appoint or remove, on recommendation of the President, the professors and other members of the teaching staff of the University, other than federated or affiliated colleges, and to appoint all other officers, agents and servants of the University;
- (d) to fix the numbers, duties, salaries and other emoluments of the officers, teachers, agents and servants of the University;
- (e) to appoint an Executive Committee and such other committees as it may deem advisable, and to delegate to any such committee any of its powers;
- (f) to borrow money for the purposes of the University and give security therefor on such terms and in such amounts as it may deem advisable;
- (g) to make by-laws and regulations not inconsistent with the conduct of its affairs, including the fixing of a quorum, the election or appointment of its members and the filling of vacancies.

11. The Board shall consist of seventeen members in all, ^{Constitution of Board} comprised as follows:

1. The President *ex officio*.
2. The following eight persons: Gordon H. Aiken; J. W. Adamson; Dalton Caswell; Norman G. Grant; Reverend Earl S. Lautenslager; Thomas M. Palmer; Walter Tate, and Thornley Virene.
3. Eight persons to be named by the General Council of The United Church of Canada.

12.—(1) Unless their appointment or election shall be ^{Terms of office} otherwise designated, the members of the Board shall hold office as follows:

- (a) of the members mentioned in paragraph 2 of section 11, one-half, to be chosen by the members of the Board, shall hold office for two years and the remaining one-half shall hold office for four years after the incorporation of the University; and
- (b) the members appointed by the General Council of The United Church of Canada shall hold office from the time of appointment until their successors are named at the next succeeding meeting of the General Council.

(2) As the term of any member of the Board expires, such ^{Eligible for re-appointment} member shall be eligible for re-appointment.

(3) Except as otherwise provided in this Act, all members ^{Elected by Board} of the Board shall be elected by the Board.

13. No persons on the teaching staff or administrative ^{Eligibility of staff} staff of the University, other than the President, are eligible for membership on the Board.

14. The Board shall elect a chairman from among its own ^{Chairman} members.

15. After thirty days notice to any member, the Board ^{Vacancy} may, by resolution passed by at least two-thirds of the votes cast at a meeting of the Board, declare vacant the seat of such member.

16. There shall be a Senate of the University composed of, ^{Senate}

- (a) the President *ex officio*;

- (b) the Principal of Huntington College and the head of any other college, faculty, school or institute established by the University;
- (c) all active members of the permanent teaching staff of the University;
- (d) two members of the Board appointed by the Board; and
- (e) four persons to be named by the General Council of The United Church of Canada.

Senate,
powers

17. The Senate is responsible for the educational policy of the University and, without limiting the generality of the foregoing, has power,

- (a) to provide for the regulation and conduct of its proceedings, including the determination of the quorum necessary for the transaction of business;
- (b) subject to the terms of federation in a non-denominational university as provided in clause *b* of section 3, to provide for the granting of and to grant degrees, including honorary degrees, in the several colleges and faculties that are or may be from time to time established and to determine the standards of admission, the courses of study and the qualifications for degrees;
- (c) to conduct examinations and appoint examiners;
- (d) to deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards;
- (e) to provide for the convening and conduct of such Convocations as may be requisite for the purposes set out in this section;
- (f) to enact statutes regulating the powers conferred by this section; and
- (g) to deal with such matters and affairs as may from time to time be committed to it by the Board.

President

18. There shall be a President of the University who shall be appointed by the Board and who, unless otherwise provided, shall hold office during the pleasure of the Board.

19.—(1) The President shall be the chief executive officer of the University and shall be chairman of the Senate. President
chief
executive
officer, etc.

(2) The President has supervision over and direction of the academic work and general administration of the University and the teaching staff thereof, and the officers and servants thereof, and has such other powers and duties as may from time to time be conferred upon or assigned to him by the Board. Powers
and
duties

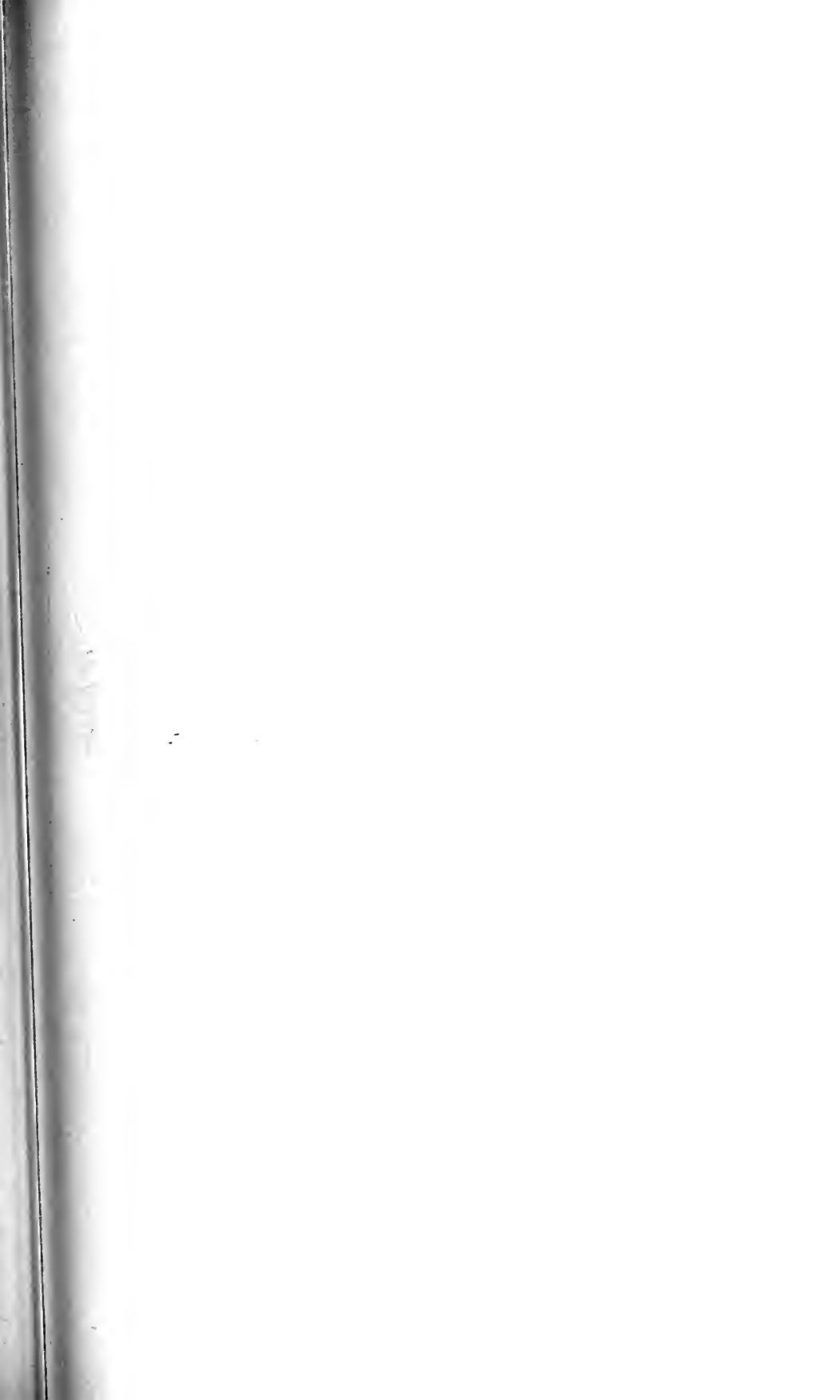
20. There shall be a Principal of Huntington College who shall be responsible to the President for the direction of the teaching of the liberal arts and science in that college and who shall perform such other duties as may from time to time be assigned to him by the Board. Principal
of College

21. At the pleasure of the Board, the same person may simultaneously hold the offices of President of the University and Principal of Huntington College. Office of
President
and
Principal
held by
same person

22. This Act comes into force on the day it receives Royal Assent. Commence-
ment

23. This Act may be cited as *The Huntington University Act, 1960.* Short title





1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. BOYER

(*Private Bill*)

BILL Pr36

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act to incorporate Huntington University

MR. BOYER

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
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BILL Pr36

1960

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- (a) "Board" means The Board of Regents of Huntington University;
- (b) "federated college" means a university or college federated with the University;
- (c) "President" means the President of the University;
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- (e) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and estate and interest therein;
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University
powers re
faculties,
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3. The University has university powers, including.

- (a) the power to establish a college of Arts and Science, to be known as Huntington College, and such other colleges, faculties, schools, institutes, departments and chairs as may be determined by the Board, but the curricula of all courses of instruction shall be determined by the Senate;
- (b) the power to confer degrees, honorary degrees and awards in any and all the branches of learning, provided that, if the University enters into federation with a non-denominational university that has degree-granting powers, the degree-granting powers of the University, except in theology, shall be held in abeyance during such time as it remains in such federation;
- (c) the power to permit federation or affiliation of other colleges or universities with the University on such terms as the Board may decide.

Religious
tests not
to be
required

4. The University shall be carried on as a Christian school of learning, but no religious test shall be required of any professor, lecturer, teacher, officer, employee, servant or student of the University.

Property

R.S.O. 1950,
c. 184

5.—(1) The University has, in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*, power to acquire by purchase, lease, gift, devise, bequest or otherwise any real or personal property absolutely or in trust and to hold and enjoy any estate or property whatsoever and to sell, grant, exchange, convey, mortgage, lease and otherwise alienate the same or any part thereof from time to time as occasion may require and to acquire other estate and property in addition thereto without licence in mortmain and without limitation as to the period of holding.

University
powers

(2) The University has the power to,

- (a) borrow money on its credit in such amount, on such terms and from such persons, firms and corporations,

including chartered banks, as may be determined by the Board;

- (b) make, draw and endorse promissory notes or bills of exchange;
- (c) hypothecate, pledge or charge any or all personal and real property of the University to secure any money so borrowed or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) issue bonds, debentures and obligations on such terms and conditions as the Board may decide and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide and may mortgage, charge, hypothecate or pledge all or any part of the real or personal property of the University to secure any such bonds, debentures and obligations.

(3) The funds of the University not immediately required for its purposes and the proceeds of all property that come into the hands of the University, subject to any trusts affecting the same, may be invested under the powers of investment in the *Canadian and British Insurance Companies Act*, and all property and revenue of the University shall be applied for the attainment of the objects for which the University is constituted and to the payment of expenses to be incurred for objects connected with or depending on the purposes aforesaid.

Investment
of surplus
funds

R.S.C. 1952,
c. 31

6. The property vested in the University shall not be liable to taxation for provincial, municipal or school purposes and shall be exempt from every description of taxation so long as it is actually used and occupied for the purpose of the University.

Tax
exemption

7. Real property vested in the University shall not be liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose, and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

Real
property
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8. All proceedings by or against the University may be had and taken in the name of "Huntington University".

Proceedings
in name of
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Liability
of members,
etc.

9. Nothing herein contained shall have the effect or be construed to have the effect of rendering all or any of the members or officers of the University, or any person whatsoever, individually liable or accountable for or by reason of any debt, contract or security incurred or entered into for or by reason of the University or for or on account of or in respect of any matter or thing whatsoever relating to the University.

Management
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University

10. Except as to such matters as are by this Act specifically assigned to the Senate, the government, management and control of the University and of its property, revenues, expenditures, business and affairs are vested in a board under the name of "The Board of Regents of Huntington University" and the Board has all the powers necessary or convenient to perform its duties and achieve the objects and purposes of the University, including, without limiting the generality of the foregoing, power,

- (a) to appoint or remove the President;
- (b) to appoint or remove, on recommendation of the President, the Principal of Huntington College and the head of any other college, faculty, school or institute established by the University;
- (c) to appoint or remove, on recommendation of the President, the professors and other members of the teaching staff of the University, other than federated or affiliated colleges, and to appoint all other officers, agents and servants of the University;
- (d) to fix the numbers, duties, salaries and other emoluments of the officers, teachers, agents and servants of the University;
- (e) to appoint an Executive Committee and such other committees as it may deem advisable, and to delegate to any such committee any of its powers;
- (f) to borrow money for the purposes of the University and give security therefor on such terms and in such amounts as it may deem advisable;
- (g) to make by-laws and regulations not inconsistent with the conduct of its affairs, including the fixing of a quorum, the election or appointment of its members and the filling of vacancies.

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(2) As the term of any member of the Board expires, such ^{Eligible for re-appointment} member shall be eligible for re-appointment.

(3) Except as otherwise provided in this Act, all members ^{Elected by Board} of the Board shall be elected by the Board.

13. No persons on the teaching staff or administrative ^{Eligibility of staff} staff of the University, other than the President, are eligible for membership on the Board.

14. The Board shall elect a chairman from among its own ^{Chairman members} members.

15. After thirty days notice to any member, the Board ^{Vacancy} may, by resolution passed by at least two-thirds of the votes cast at a meeting of the Board, declare vacant the seat of such member.

16. There shall be a Senate of the University composed of, ^{Senate}

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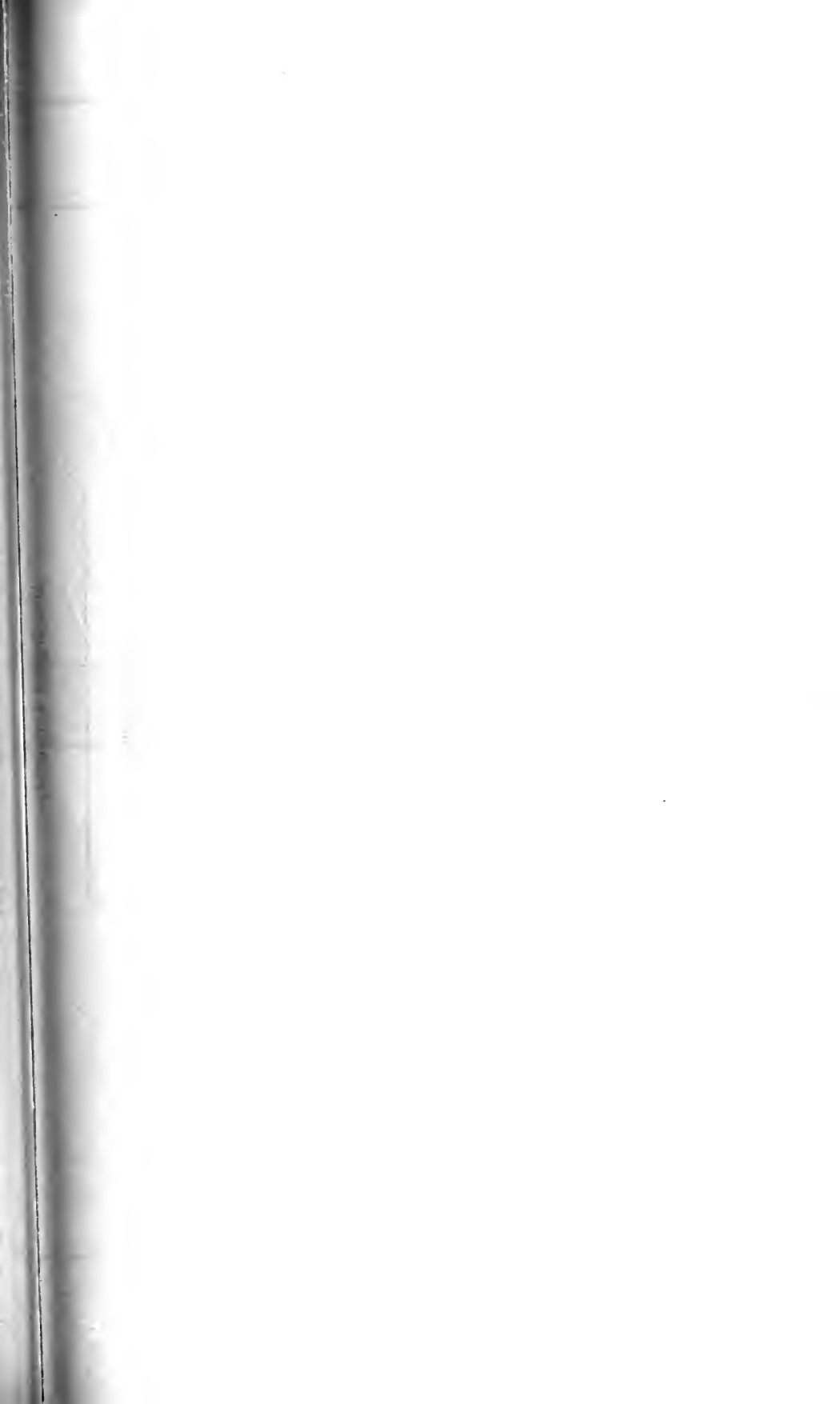
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and
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20. There shall be a Principal of Huntington College who shall be responsible to the President for the direction of the teaching of the liberal arts and science in that college and who shall perform such other duties as may from time to time be assigned to him by the Board. Principal
of College

21. At the pleasure of the Board, the same person may simultaneously hold the offices of President of the University and Principal of Huntington College. Office of
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An Act to incorporate
Huntington University

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. BOYER

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr36

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

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to be
required

4. The University shall be carried on as a Christian school of learning, but no religious test shall be required of any professor, lecturer, teacher, officer, employee, servant or student of the University.

Property

R.S.O. 1950,
c. 184

5.—(1) The University has, in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*, power to acquire by purchase, lease, gift, devise, bequest or otherwise any real or personal property absolutely or in trust and to hold and enjoy any estate or property whatsoever and to sell, grant, exchange, convey, mortgage, lease and otherwise alienate the same or any part thereof from time to time as occasion may require and to acquire other estate and property in addition thereto without licence in mortmain and without limitation as to the period of holding.

University
powers

(2) The University has the power to,

- (a) borrow money on its credit in such amount, on such terms and from such persons, firms and corporations,

including chartered banks, as may be determined by the Board;

- (b) make, draw and endorse promissory notes or bills of exchange;
- (c) hypothecate, pledge or charge any or all personal and real property of the University to secure any money so borrowed or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) issue bonds, debentures and obligations on such terms and conditions as the Board may decide and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide and may mortgage, charge, hypothecate or pledge all or any part of the real or personal property of the University to secure any such bonds, debentures and obligations.

(3) The funds of the University not immediately required for its purposes and the proceeds of all property that come into the hands of the University, subject to any trusts affecting the same, may be invested under the powers of investment in the *Canadian and British Insurance Companies Act*, and all property and revenue of the University shall be applied for the attainment of the objects for which the University is constituted and to the payment of expenses to be incurred for objects connected with or depending on the purposes aforesaid.

Investment
of surplus
funds
R.S.C. 1952,
c. 31

6. The property vested in the University shall not be liable to taxation for provincial, municipal or school purposes and shall be exempt from every description of taxation so long as it is actually used and occupied for the purpose of the University.

Tax
exemption

7. Real property vested in the University shall not be liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose, and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

Real
property
not liable
to exprop-
riation

8. All proceedings by or against the University may be had and taken in the name of "Huntington University".

Proceedings
in name of
University

Liability
of members,
etc.

9. Nothing herein contained shall have the effect or be construed to have the effect of rendering all or any of the members or officers of the University, or any person whatsoever, individually liable or accountable for or by reason of any debt, contract or security incurred or entered into for or by reason of the University or for or on account of or in respect of any matter or thing whatsoever relating to the University.

Management
of
University

10. Except as to such matters as are by this Act specifically assigned to the Senate, the government, management and control of the University and of its property, revenues, expenditures, business and affairs are vested in a board under the name of "The Board of Regents of Huntington University" and the Board has all the powers necessary or convenient to perform its duties and achieve the objects and purposes of the University, including, without limiting the generality of the foregoing, power,

- (a) to appoint or remove the President;
- (b) to appoint or remove, on recommendation of the President, the Principal of Huntington College and the head of any other college, faculty, school or institute established by the University;
- (c) to appoint or remove, on recommendation of the President, the professors and other members of the teaching staff of the University, other than federated or affiliated colleges, and to appoint all other officers, agents and servants of the University;
- (d) to fix the numbers, duties, salaries and other emoluments of the officers, teachers, agents and servants of the University;
- (e) to appoint an Executive Committee and such other committees as it may deem advisable, and to delegate to any such committee any of its powers;
- (f) to borrow money for the purposes of the University and give security therefor on such terms and in such amounts as it may deem advisable;
- (g) to make by-laws and regulations not inconsistent with the conduct of its affairs, including the fixing of a quorum, the election or appointment of its members and the filling of vacancies.

11. The Board shall consist of seventeen members in all, ^{Constitution of Board} comprised as follows:

1. The President *ex officio*.
2. The following eight persons: Gordon H. Aiken; J. W. Adamson; Dalton Caswell; Norman G. Grant; Reverend Earl S. Lautenslager; Thomas M. Palmer; Walter Tate, and Thornley Virene.
3. Eight persons to be named by the General Council of The United Church of Canada.

12.—(1) Unless their appointment or election shall be ^{Terms of office} otherwise designated, the members of the Board shall hold office as follows:

- (a) of the members mentioned in paragraph 2 of section 11, one-half, to be chosen by the members of the Board, shall hold office for two years and the remaining one-half shall hold office for four years after the incorporation of the University; and
- (b) the members appointed by the General Council of The United Church of Canada shall hold office from the time of appointment until their successors are named at the next succeeding meeting of the General Council.

(2) As the term of any member of the Board expires, such ^{Eligible for re-appointment} member shall be eligible for re-appointment.

(3) Except as otherwise provided in this Act, all members ^{Elected by Board} of the Board shall be elected by the Board.

13. No persons on the teaching staff or administrative ^{Eligibility of staff} staff of the University, other than the President, are eligible for membership on the Board.

14. The Board shall elect a chairman from among its own ^{Chairman} members.

15. After thirty days notice to any member, the Board ^{Vacancy} may, by resolution passed by at least two-thirds of the votes cast at a meeting of the Board, declare vacant the seat of such member.

16. There shall be a Senate of the University composed of, ^{Senate}

- (a) the President *ex officio*;

- (b) the Principal of Huntington College and the head of any other college, faculty, school or institute established by the University;
- (c) all active members of the permanent teaching staff of the University;
- (d) two members of the Board appointed by the Board; and
- (e) four persons to be named by the General Council of The United Church of Canada.

Senate,
powers

17. The Senate is responsible for the educational policy of the University and, without limiting the generality of the foregoing, has power,

- (a) to provide for the regulation and conduct of its proceedings, including the determination of the quorum necessary for the transaction of business;
- (b) subject to the terms of federation in a non-denominational university as provided in clause *b* of section 3, to provide for the granting of and to grant degrees, including honorary degrees, in the several colleges and faculties that are or may be from time to time established and to determine the standards of admission, the courses of study and the qualifications for degrees;
- (c) to conduct examinations and appoint examiners;
- (d) to deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards;
- (e) to provide for the convening and conduct of such Convocations as may be requisite for the purposes set out in this section;
- (f) to enact statutes regulating the powers conferred by this section; and
- (g) to deal with such matters and affairs as may from time to time be committed to it by the Board.

President

18. There shall be a President of the University who shall be appointed by the Board and who, unless otherwise provided, shall hold office during the pleasure of the Board.

19.—(1) The President shall be the chief executive officer of the University and shall be chairman of the Senate. President
chief
executive
officer, etc.

(2) The President has supervision over and direction of the academic work and general administration of the University and the teaching staff thereof, and the officers and servants thereof, and has such other powers and duties as may from time to time be conferred upon or assigned to him by the Board. Powers
and
duties

20. There shall be a Principal of Huntington College who shall be responsible to the President for the direction of the teaching of the liberal arts and science in that college and who shall perform such other duties as may from time to time be assigned to him by the Board. Principal
of College

21. At the pleasure of the Board, the same person may simultaneously hold the offices of President of the University and Principal of Huntington College. Office of
President
and
Principal
held by
same person

22. This Act comes into force on the day it receives Royal Assent. Commence-
ment

23. This Act may be cited as *The Huntington University Act, 1960.* Short title





An Act to incorporate
Huntington University

1st Reading

February 11th, 1960

2nd Reading

March 3rd, 1960

3rd Reading

March 8th, 1960

MR. BOYER

BILL Pr37

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the City of Windsor

MR. REAUME

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr37

1960

An Act respecting the City of Windsor

WHEREAS The Corporation of the City of Windsor, Preamble
 herein called the Corporation, by its petition has represented that on the 3rd day of November, 1958, By-law No. 1897 was passed by the council of the Corporation for submitting to the electors the following question:

“Do you favour the election of members of Council by a City-wide vote instead of the present vote by wards?”

and that the said question was submitted to the electors on the 1st day of December, 1958, and a majority of the electors voted in the affirmative on the question; and whereas The Board of Trustees of the Roman Catholic Separate Schools for the City of Windsor has informed the council of its desire that its members be likewise elected by general vote and the council is desirous of carrying into effect the wishes of the electors and the Board; and whereas the petitioner has prayed for special legislation to effect such purpose and in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition:

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 6 of *The City of Windsor (Amalgamation) Act, 1935*, as re-enacted by section 1 of *The City of Windsor Act, 1957*, is repealed and the following substituted therefor: 1935, c. 74, s. 6 (1957, c. 161, s. 1), subs. 2, re-enacted

(2) The mayor and aldermen shall be elected by general How elected vote.

2. Section 11 of *The City of Windsor (Amalgamation) Act, 1935* is repealed and the following substituted therefor: 1935, c. 74, s. 11, re-enacted

11. The Board of Trustees of the Roman Catholic Separate school board Separate Schools for the City of Windsor shall be

composed of five members who shall be elected biennially by general vote and shall each hold office for a term of two years.

1956, c. 127,
s. 1,
re-enacted

3. Section 1 of *The City of Windsor Act, 1956* is repealed and the following substituted therefor:

Installation
of back-
water valves,
etc., by
Corporation

1.—(1) The Corporation may,

(a) install or cause to be installed in the drainage system of any building a device known as a back-water valve, which is designed to prevent water and sewage from backing up through the system or sump pumps; or

(b) repair such system,

at the request and expense of the owner thereof provided the cost of the sump pump installation and the repairs do not exceed the sum of \$250, and, where the Corporation is of the opinion that the owner of the premises is unable to pay the expense of the same at once, may enter into an agreement with such owner providing for the payment by him of the cost in equal, successive, annual payments, extending over a period not exceeding five years, including interest at a rate of not more than 6 per cent per annum on such portion of the cost as remains unpaid from time to time, and such annual payments may be added by the clerk of the Corporation to the collector's roll and collected in like manner as municipal taxes.

Registration
of certi-
ficate of
charges for
installing
back-water
valves, etc.

(2) Where an agreement is entered into under subsection 1, a certificate from the clerk of the Corporation setting forth the cost of the installations and repairs and a description of the lands upon which the same were made shall be registered in the proper registry office against the lands on proper proof by affidavit of the signature of the clerk, and, upon payment in full of the cost of the installations and repairs, a like certificate from the clerk indicating full payment of such cost shall be registered in such registry office and the lands shall thereupon be freed from all liability as to the cost of such installations and repairs.

Expeditious
procedures
authorized
for garbage
by-law
violations

4. The council of the Corporation is authorized and empowered to pass by-laws providing a procedure for the voluntary payment of penalties out of court in cases where it is alleged that the provisions of any by-law regulating the

collection, removal and disposal of garbage, ashes and other refuse have been contravened, and, if payment is not made in accordance with the procedure, subsection 2 of section 492 of *The Municipal Act* applies.

R.S.O. 1950,
c. 243

5. The Corporation is declared to have been as of the 26th day of October, 1945, the absolute owner in fee simple, clear of and free from all right, title and interest other than that of the Corporation of the lands described in the Schedule hereto.

Lands
vested in
Corporation

6. Section 6 of *The City of Windsor Act, 1958* is amended by striking out "\$15,000" in the third line and inserting in lieu thereof "\$30,000", so that the section shall read as follows:

1958, c. 166,
s. 6,
amended

6. The council of the Corporation may, out of current revenues of the Corporation, in any year grant such sum or sums of money, not exceeding in the aggregate \$30,000 in any one year, in aid of institutions, associations or persons, for the carrying on of activities which in the opinion of the council are for the general advantage of the inhabitants of the Corporation, and for which grant or grants there is no express authority provided by any other Act.

Grants
authorized

7. Notwithstanding the provisions of any other general or special Act, the council of the Corporation may pay for or towards the reception or entertainment of persons of distinction or the celebration of events or matters of national interest or importance, or for or towards travelling or other expenses incurred in respect to matters pertaining to or affecting the interests of the Corporation, a sum not exceeding \$35,000 in any year.

Expenses of
entertaining
guests and
for travelling
on civic
business

8. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

9. This Act may be cited as *The City of Windsor Act, 1960*.

Short title

SCHEDULE

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Windsor, in the County of Essex and Province of Ontario, being composed of Part of Lots 97, 98, 99 and 100, according to Registered Plan No. 622, in the said City, and which said parcel or tract may be more particularly described as follows:

COMMENCING at an iron pin planted in the intersection of the Northerly limit of Tecumseh Road as widened, with the Easterly limit of Marentette Avenue; Thence Easterly, and following the Northerly limit of Tecumseh Road, as widened, One Hundred and Thirty-two feet six inches (132' 6") to an iron pin planted in the limit between Lots 96 and 97; Thence Northerly, and following the last mentioned limit, One Hundred and Twenty-six feet Two and one-half inches (126' 2½") to an iron pin planted in the Northerly limit of said Lot 97; Thence, Westerly, and following the Northerly limit of Lots 97, 98, 99 and 100, One Hundred and Thirty feet (130') to an iron pin planted in the Easterly limit of Marentette Avenue, being also the Westerly limit of Lot 100; Thence Southerly, and following the last mentioned limit, ninety-nine feet Eleven and one-half inches (99' 11½") more or less, to the place of beginning.

An Act respecting the
City of Windsor

1st Reading

2nd Reading

3rd Reading

MR. REAUME

(*Private Bill*)

BILL Pr37

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the City of Windsor

MR. REAUME

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr37

1960

An Act respecting the City of Windsor

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and that the said question was submitted to the electors on the 1st day of December, 1958, and a majority of the electors voted in the affirmative on the question; and whereas The Board of Trustees of the Roman Catholic Separate Schools for the City of Windsor has informed the council of its desire that its members be likewise elected by general vote and the council is desirous of carrying into effect the wishes of the electors and the Board; and whereas the petitioner has prayed for special legislation to effect such purpose and in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

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at the request and expense of the owner thereof provided the cost of the sump pump installation and the repairs do not exceed the sum of \$250, and, where the Corporation is of the opinion that the owner of the premises is unable to pay the expense of the same at once, may enter into an agreement with such owner providing for the payment by him of the cost in equal, successive, annual payments, extending over a period not exceeding five years, including interest at a rate of not more than 6 per cent per annum on such portion of the cost as remains unpaid from time to time, and such annual payments may be added by the clerk of the Corporation to the collector's roll and collected in like manner as municipal taxes.

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of certi-
ficate of
charges for
installing
back-water
valves, etc.

(2) Where an agreement is entered into under subsection 1, a certificate from the clerk of the Corporation setting forth the cost of the installations and repairs and a description of the lands upon which the same were made shall be registered in the proper registry office against the lands on proper proof by affidavit of the signature of the clerk, and, upon payment in full of the cost of the installations and repairs, a like certificate from the clerk indicating full payment of such cost shall be registered in such registry office and the lands shall thereupon be freed from all liability as to the cost of such installations and repairs.

Expedition
procedures
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for garbage
by-law
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R.S.O. 1950
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Grants
authorized

7. Notwithstanding the provisions of any other general or special Act, the council of the Corporation may pay for or towards the reception or entertainment of persons of distinction or the celebration of events or matters of national interest or importance, or for or towards travelling or other expenses incurred in respect to matters pertaining to or affecting the interests of the Corporation, a sum not exceeding \$35,000 in any year.

Expenses of
entertaining
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business

8. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

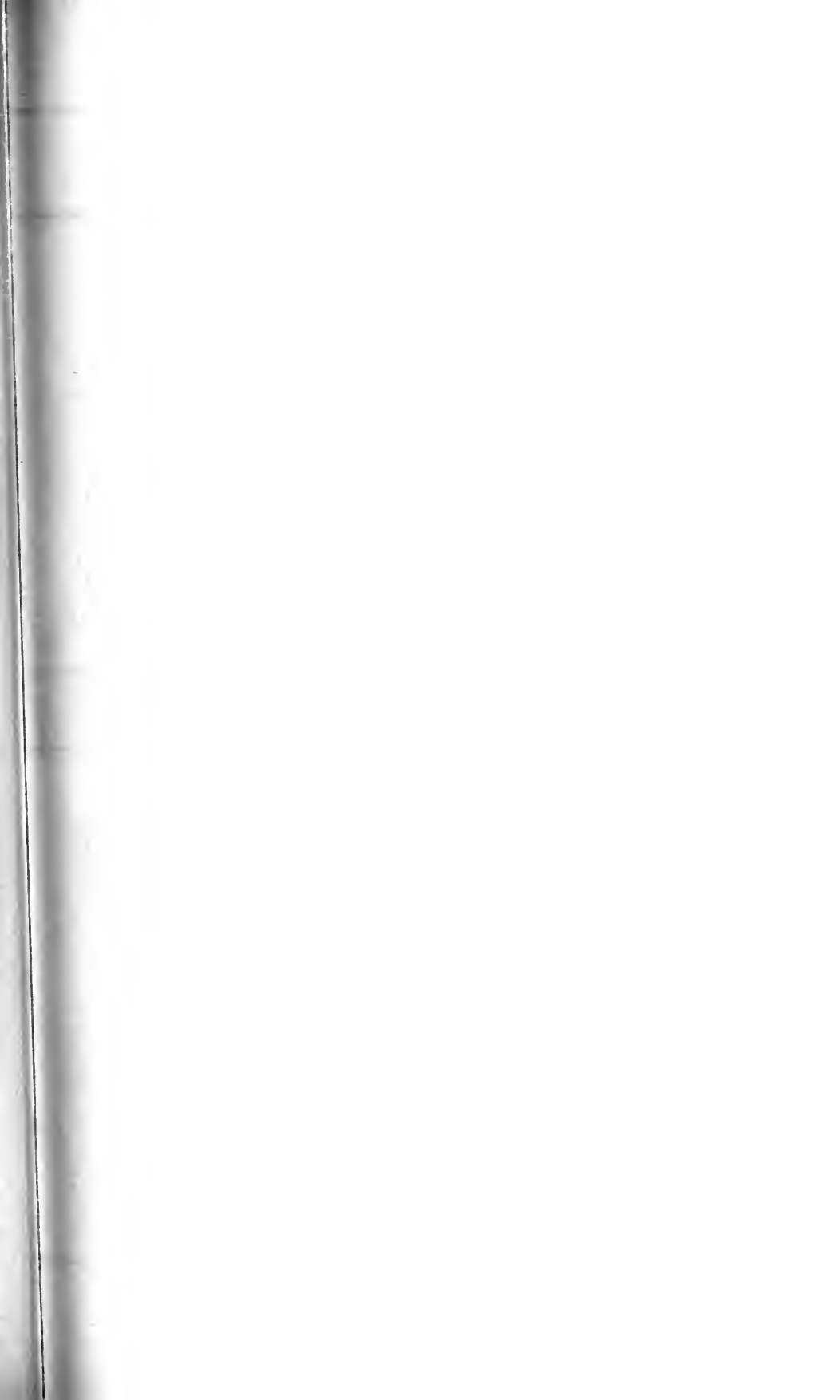
9. This Act may be cited as *The City of Windsor Act, 1960*.

Short title

SCHEDULE

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Windsor, in the County of Essex and Province of Ontario, being composed of Part of Lots 97, 98, 99 and 100, according to Registered Plan No. 622, in the said City, and which said parcel or tract may be more particularly described as follows:

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An Act respecting the
City of Windsor

1st Reading

February 11th, 1960

2nd Reading

February 26th, 1960

3rd Reading

March 1st, 1960

MR. REACME

BILL Pr38

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Barrie

MR. JOHNSTON (Simcoe Centre)

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr38

1960

An Act respecting the City of Barrie

WHEREAS The Corporation of the City of Barrie by Preamble its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is deemed expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Notwithstanding any special or general Act, Cost of local improvements R.S.O. 1950, c. 215 where a person has been required to pay the entire cost of any work, as defined in *The Local Improvement Act*, pursuant to the provisions of the by-laws of The Corporation of the City of Barrie or the by-laws of The Public Utilities Commission of the City of Barrie and the work is in a highway upon which lots abut directly that are not owned by the person who has paid the entire costs thereof, The Corporation of the City of Barrie and The Public Utilities Commission of the City of Barrie shall not be required to permit the owners of such lots to connect to or use such works until the cost has been paid by such owners according to the extent of their respective frontages thereon, determined by an equal charge per foot of such frontage.

(2) The following may be included in the cost of the work: What included in cost

1. The actual cost paid.

2. Interest.

2. Where the work mentioned in section 1 is the opening Building permits of a street, curbs and gutters or sidewalks, The Corporation of the City of Barrie shall not be required to issue a building permit for such lots until such cost has been paid.

3. The Corporation of the City of Barrie and The Public Utilities Commission of the City of Barrie, when they receive Repayment to person who paid cost in first instance payment of the frontage charges mentioned in section 1, shall

repay the same to the person who in the first instance paid for the entire cost of the work.

Commence-
ment

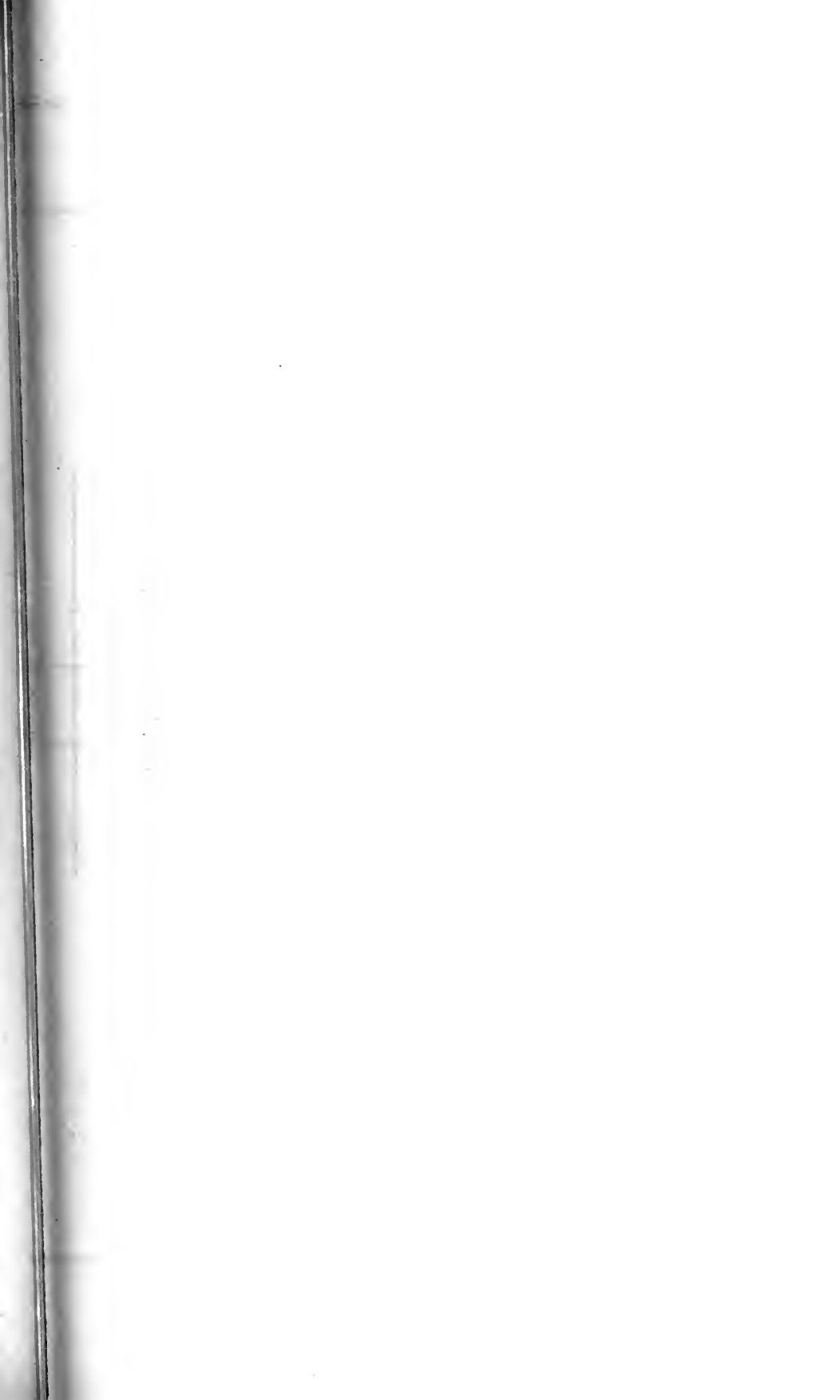
4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The City of Barrie Act, 1960.*







An Act respecting the
City of Barrie

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. JOHNSTON (Simcoe Centre)

(Private Bill)

BILL Pr38

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Barrie

MR. JOHNSTON (Simcoe Centre)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr38

1960

An Act respecting the City of Barrie

WHEREAS The Corporation of the City of Barrie by Preamble its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is deemed expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Notwithstanding any special or general Act, Cost of local improvements R.S.O. 1950, c. 215 where a person has been required to pay the entire cost of any work, as defined in *The Local Improvement Act*, pursuant to the provisions of the by-laws of The Corporation of the City of Barrie or the by-laws of The Public Utilities Commission of the City of Barrie and the work is in a highway upon which lots abut directly that are not owned by the person who has paid the entire costs thereof, The Corporation of the City of Barrie and The Public Utilities Commission of the City of Barrie shall not be required to permit the owners of such lots to connect to or use such works until the cost has been paid by such owners according to the extent of their respective frontages thereon, determined by an equal charge per foot of such frontage.

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1. The actual cost paid.

2. Interest.

2. Where the work mentioned in section 1 is the opening Building permits of a street, curbs and gutters or sidewalks, The Corporation of the City of Barrie shall not be required to issue a building permit for such lots until such cost has been paid.

3. The Corporation of the City of Barrie and The Public Repayment to person who paid cost in first instance Utilities Commission of the City of Barrie, when they receive payment of the frontage charges mentioned in section 1, shall

repay the same to the person who in the first instance paid for the entire cost of the work.

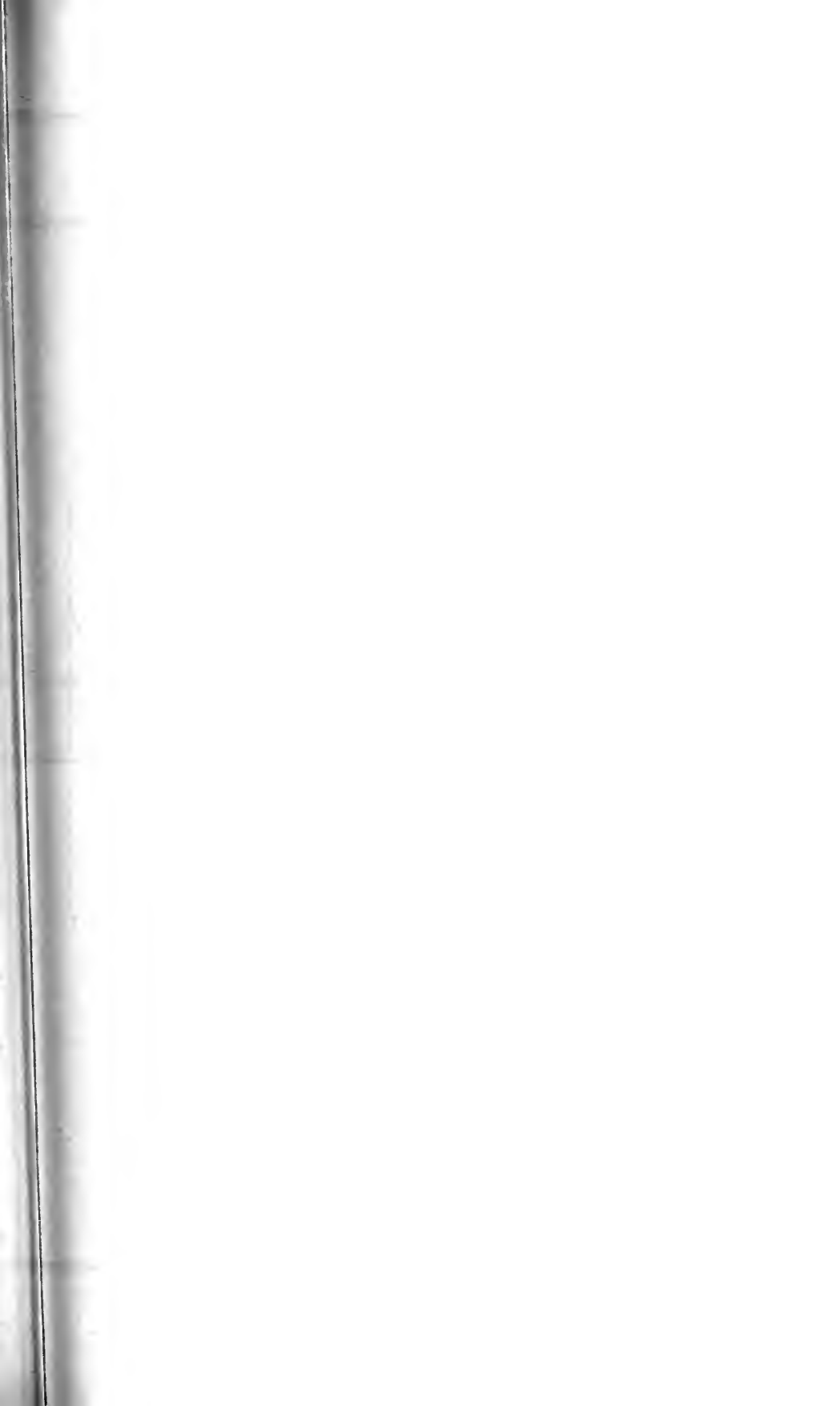
Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The City of Barrie Act, 1960*.





1st Reading

February 11th, 1960

2nd Reading

March 3rd, 1960

3rd Reading

March 8th, 1960

Mr. JOHNSON (Simcoe Centre)

BILL Pr39

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the Village of Streetsville

MR. DAVIS

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr39

1960

An Act respecting the Village of Streetsville

WHEREAS The Corporation of the Village of Streetsville by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 1204 of The Corporation of the Village of Streetsville, set forth as Schedule A hereto, which was read a first and second time on the 18th day of January, 1960, and finally passed on the 18th day of January, 1960, authorizing the borrowing of \$15,000 upon debentures for granting aid for the erection, establishment, maintenance or equipment of the South Peel Hospital, is hereby confirmed and declared to be legal, valid and binding upon the Corporation and the ratepayers thereof. Debenture
by-law
validated

2. By-law No. 1227 of The Corporation of the Village of Streetsville, set forth as Schedule B hereto, which was read a first and second time on the 18th day of January, 1960, and finally passed on the 18th day of January, 1960, authorizing the borrowing of \$22,634 upon debentures for the construction of pavement and other works upon Queen Street South from Maiden Lane, is hereby confirmed and declared to be legal, valid and binding upon the Corporation and the ratepayers thereof. Debenture
by-law
validated

3. Sections 61, 62, 63 and 64 of *The Ontario Municipal Board Act* apply in respect of By-laws Nos. 1204 and 1227 of The Corporation of the Village of Streetsville and the debentures to be issued thereunder. Application
of
R.S.O. 1950,
c. 262,
ss. 61-64

4. This Act comes into force on the day it receives Royal Assent. Commence-
ment

5. This Act may be cited as *The Village of Streetsville Act, 1960*. Short title

SCHEDULE A

To An Act respecting the Village of Streetsville

VILLAGE OF STREETSVILLE

BY-LAW No. 1204

To authorize the borrowing of \$15,000.00 upon debentures for granting aid for the erection, establishment, maintenance or equipment of the South Peel Hospital.

WHEREAS by Subsection 29 of Section 386 of *The Municipal Act*, as amended, authority is given for the issue of debentures for granting aid for the erection, establishment, maintenance or equipment of public hospitals, including municipal hospitals, public sanatoria or municipal isolation hospitals within or outside the municipality;

AND WHEREAS the South Peel Hospital Board has petitioned the Council for a grant of \$15,000.00 for such purposes;

AND WHEREAS the opinion of the electors of the Village of Streetsville was sought as to the passing of a by-law authorizing the borrowing of \$15,000.00 upon debentures for such purposes;

AND WHEREAS the enactment of such a by-law was assented to by the electors in that a majority of the votes cast were in favour of the by-law;

AND WHEREAS it is deemed expedient to raise the sum of \$15,000.00 for the said purposes and to issue debentures therefor bearing interest at the rate shown in Column "5" of Schedule "A" to this by-law, the principal and interest thereon being the amount of debt intended to be created by this by-law;

AND WHEREAS it is deemed expedient to make the principal of the said debt repayable in annual instalments during the period of twenty (20) years after the date of issue of such debentures;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE VILLAGE OF STREETSVILLE ENACTS AS FOLLOWS:

1. THAT there shall be borrowed upon the credit of the Corporation the sum of \$15,000.00 and debentures shall be issued therefor bearing interest at the rate shown in Column "5" of Schedule "A" to this by-law payable yearly and having coupons attached for the payment of interest, which debentures shall all bear the same date and shall be issued within two (2) years from the date hereof and may bear any date within such two (2) years and shall be payable in twenty (20) annual instalments during the twenty (20) years next after the time when the same are issued, and the respective amounts of principal and interest payable in each year shall be as shown in Schedule "A" hereto annexed.

2. THAT the Reeve of the Village shall sign and issue the debentures, and the debentures and interest coupons shall be signed by the Treasurer, and the debentures shall be sealed with the Seal of the Corporation. The signature of the Treasurer may be written, engraved, lithographed or otherwise mechanically reproduced on such coupons.

3. THAT the debentures shall be payable as to both principal and interest in lawful money of Canada at the option of the holder at The Bank of Nova Scotia, Streetsville, or at the principal office of the said Bank in the City of Toronto.



4. THAT the debentures and interest hereby authorized shall be a direct charge against the Corporation of the Village of Streetsville at large.

5. THAT commencing in the year 1960 and thereafter in each year in which an instalment of principal of the said debt and interest become due, the Corporation shall levy and raise the specific sum shown for the respective year in Column "4" of Schedule "A" to this by-law. Such sum shall be levied and raised by a special rate sufficient therefor, over and above all other rates, upon all the rateable property in the Village of Streetsville, but no greater rate shall be levied in any year for such purpose than is required to pay the instalment after taking into account receipts from any source in respect of the said work.

6. THAT the said debentures may contain a clause to provide for the registration thereof pursuant to Section 335 of *The Municipal Act*.

7. THAT pending the sale of the said debentures, the Head of Council and the Treasurer may raise for the purpose aforesaid by way of loan on such debentures any sum or sums not exceeding in all the sum to be realized and may hypothecate such debentures for such loan.

BY-LAW read first and second time this 18th day of January, A.D. 1960.

J. M. ADAMSON,
Reeve.

L. M. MCGILLIVARY,
Clerk.

BY-LAW read a third time and passed in Council this 18th day of January, A.D. 1960.

J. M. ADAMSON,
Reeve.

L. M. MCGILLIVARY,
Clerk.

VILLAGE OF STREETSVILLE

BY-LAW No. 1204

Schedule "A"

Debenture—\$15,000.00

20 years

7 per cent.

(1)	(2)	(3)	(4)	(5)
Year	Principal	Interest	Yearly Payment	Interest Rate
1960.....	\$ 350.00	\$1,050.00	\$1,400.00	7%
1961.....	400.00	1,025.50	1,425.50	7%
1962.....	400.00	997.50	1,397.50	7%
1963.....	450.00	969.50	1,419.50	7%
1964.....	500.00	938.00	1,438.00	7%
1965.....	500.00	903.00	1,403.00	7%
1966.....	550.00	868.00	1,418.00	7%
1967.....	600.00	829.50	1,429.50	7%
1968.....	650.00	787.50	1,437.50	7%
1969.....	650.00	742.00	1,392.00	7%
1970.....	700.00	696.50	1,396.50	7%
1971.....	750.00	647.50	1,397.50	7%
1972.....	850.00	595.00	1,445.00	7%
1973.....	900.00	535.50	1,435.50	7%
1974.....	950.00	472.50	1,422.50	7%
1975.....	1,000.00	406.00	1,406.00	7%
1976.....	1,100.00	336.00	1,436.00	7%
1977.....	1,150.00	259.00	1,409.00	7%
1978.....	1,250.00	178.50	1,428.50	7%
1979.....	1,300.00	91.00	1,391.00	7%
TOTAL.....	\$15,000.00	\$13,328.00		

SCHEDULE B

To An Act respecting the Village of Streetsville

VILLAGE OF STREETSVILLE

BY-LAW No. 1227

To authorize the borrowing of \$22,634.00 upon debentures
for the construction of pavement and other works upon
Queen Street South from Maiden Lane.

WHEREAS by Section 27 of *The Highway Improvement Act* authority is given for the making of an agreement for the construction of pavement and other works upon county roads within local municipalities;

AND WHEREAS the Corporation of the Village of Streetsville and the Corporation of the County of Peel have entered into such an agreement with reference to Queen Street South from Maiden Lane to the Boundary line between Lots Two and Three, Concessions IV and V, W.H.S.;

AND WHEREAS the Corporation of the Village of Streetsville is required to pay the sum of \$45,268.00 as its share of the cost of the works provided for in the said agreement;

AND WHEREAS by Subsection 12 of Section 27 of *The Highway Improvement Act* authority is given for the issue of debentures for such purposes;

AND WHEREAS it is deemed expedient to raise the sum of \$22,634.00 for the said purposes and to issue debentures therefor;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE VILLAGE OF STREETSVILLE ENACTS AS FOLLOWS:

1. THAT there shall be borrowed upon the credit of the Corporation the sum of \$22,634.00 and debentures shall be issued therefor bearing interest at the rate shown in Column "5" in Schedule "A" to this by-law, payable yearly and having coupons attached for the payment of interest, which debentures shall all bear the same date and shall be issued within two (2) years from the date hereof and may bear any date within such two (2) years and shall be payable in twenty (20) annual instalments during the twenty (20) years next after the time when the same are issued, and the respective amounts of principal and interest payable in each year shall be shown in Schedule "A" hereto annexed.

2. THAT the Reeve of the Village shall sign and issue the debentures, and the debentures and interest coupons shall be signed by the Treasurer, and the debentures shall be sealed with the Seal of the Corporation. The signature of the Treasurer may be written, engraved, lithographed or otherwise mechanically reproduced on such coupons.

3. THAT the debentures shall be payable as to both principal and interest in lawful money of Canada at the option of the holder at The Bank of Nova Scotia, Streetsville, or at the principal office of the said Bank in the City of Toronto.

4. THAT the debentures and interest hereby authorized shall be a direct charge against the Corporation of the Village of Streetsville at large.

5. THAT commencing in the year 1960 and thereafter in each year in which an instalment of principal of the said debt and interest become due, the Corporation shall levy and raise the specific sum shown for the

respective year in Column "4" of Schedule "A" to this by-law. Such sum shall be levied and raised by a special rate sufficient therefor, over and above all other rates, upon all the rateable property in the Village of Streetsville, but no greater rate shall be levied in any year for such purpose than is required to pay the instalment after taking into account receipts from any source in respect to the said work.

6. THAT the said debentures may contain a clause to provide for the registration thereof pursuant to Section 335 of *The Municipal Act*.

7. THAT pending the sale of the said debentures, the Head of Council and the Treasurer may raise for the purpose aforesaid by way of loan on such debentures any sum or sums not exceeding in all the sum to be realized and may hypothecate such debentures for such loan.

BY-LAW read first and second time this 18th day of January, A.D. 1960.

J. M. ADAMSON,
Reeve.

L. M. MCGILLIVARY,
Clerk.

BY-LAW read a third time and passed in Council this 18th day of January, A.D. 1960.

J. M. ADAMSON,
Reeve.

L. M. MCGILLIVARY,
Clerk.

VILLAGE OF STREETSVILLE

BY-LAW No. 1227

Schedule "A"

Debenture—\$22,634.00

20 years

7 per cent.

(1)	(2)	(3)	(4)	(5)
Year	Principal	Interest	Yearly Payment	Interest Rate
1960.....	\$ 534.00	\$1,584.38	\$2,118.38	7%
1961.....	600.00	1,547.00	2,147.00	7%
1962.....	650.00	1,505.00	2,155.00	7%
1963.....	700.00	1,459.50	2,159.50	7%
1964.....	700.00	1,410.50	2,110.50	7%
1965.....	750.00	1,361.50	2,111.50	7%
1966.....	850.00	1,309.00	2,159.00	7%
1967.....	900.00	1,249.50	2,149.50	7%
1968.....	950.00	1,186.50	2,136.50	7%
1969.....	1,000.00	1,120.00	2,120.00	7%
1970.....	1,100.00	1,050.00	2,150.00	7%
1971.....	1,150.00	973.00	2,123.00	7%
1972.....	1,250.00	892.50	2,142.50	7%
1973.....	1,350.00	805.00	2,155.00	7%
1974.....	1,400.00	710.50	2,110.50	7%
1975.....	1,500.00	612.50	2,112.50	7%
1976.....	1,650.00	507.50	2,157.50	7%
1977.....	1,750.00	392.00	2,142.00	7%
1978.....	1,850.00	269.50	2,119.50	7%
1979.....	2,000.00	140.00	2,140.00	7%
TOTAL.....	\$22,634.00	\$20,085.38		



An Act respecting
the Village of Streetsville

1st Reading

February 4th, 1960

2nd Reading

3rd Reading

MR. DAVIS

(*Private Bill*)

BILL Pr39

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Village of Streetsville

MR. DAVIS

(Reprinted for consideration by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr39

1960

An Act respecting the Village of Streetsville

WHEREAS The Corporation of the Village of Streetsville by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of The Corporation of the Village of Streetsville is hereby authorized to pass a by-law without the approval of the Ontario Municipal Board to borrow the sum of \$15,000 upon debentures, payable in not more than ten years, to meet expenditures made in the year 1958 for granting aid for the erection, establishment, maintenance or equipment of the South Peel Hospital, and such by-law when duly passed shall be legal, valid and binding upon the Corporation and the ratepayers thereof. Debenture
by-law
authorized

2. The council of The Corporation of the Village of Streetsville is hereby authorized to pass a by-law without the approval of the Ontario Municipal Board to borrow the sum of \$22,634 upon debentures, payable in not more than fifteen years, to meet expenditures made in the year 1958 for the construction of pavement and other works upon Queen Street South from Maiden Lane, and such by-law when duly passed shall be legal, valid and binding upon the Corporation and the ratepayers thereof. Debenture
by-law
authorized

3. This Act comes into force on the day it receives Royal Assent. Commence-
ment

4. This Act may be cited as *The Village of Streetsville Act, 1960*. Short title

An Act respecting
the Village of Streetsville

1st Reading

February 4th, 1960

2nd Reading

3rd Reading

MR. DAVIS

*(Reprinted for consideration by the
Committee on Private Bills)*

BILL Pr39

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the Village of Streetsville

MR. DAVIS

TORONTO
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BILL Pr39

1960

An Act respecting the Village of Streetsville

WHEREAS The Corporation of the Village of Streetsville by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of The Corporation of the Village of Streetsville is hereby authorized to pass a by-law without the approval of the Ontario Municipal Board to borrow the sum of \$15,000 upon debentures, payable in not more than ten years, to meet expenditures made in the year 1958 for granting aid for the erection, establishment, maintenance or equipment of the South Peel Hospital, and such by-law when duly passed shall be legal, valid and binding upon the Corporation and the ratepayers thereof. Debenture
by-law
authorized

2. The council of The Corporation of the Village of Streetsville is hereby authorized to pass a by-law without the approval of the Ontario Municipal Board to borrow the sum of \$22,634 upon debentures, payable in not more than fifteen years, to meet expenditures made in the year 1958 for the construction of pavement and other works upon Queen Street South from Maiden Lane, and such by-law when duly passed shall be legal, valid and binding upon the Corporation and the ratepayers thereof. Debenture
by-law
authorized

3. This Act comes into force on the day it receives Royal Assent. Commence-
ment

4. This Act may be cited as *The Village of Streetsville Act, 1960*. Short title

An Act respecting
the Village of Streetsville

1st Reading

February 4th, 1960

2nd Reading

February 26th, 1960

3rd Reading

March 1st, 1960

Mr. DAVIS

BILL Pr40

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Township of Toronto

MR. DAVIS

(PRIVATE BILL)

BILL Pr40

1960

An Act respecting the Township of Toronto

WHEREAS The Corporation of the Township of Toronto ^{Preamble} by its petition has represented that under *The Township of Toronto Act, 1959* ^{1959, c. 137} all outstanding capital costs of sewage works in the Township of Toronto existing on the 1st day of January, 1959, were assessed and levied on all the rateable property in the Township and that the maintenance, operation and management costs of such sewage works, where applicable, continue to be assessed and levied or charged on the rateable property in the areas as defined in by-laws applicable thereto and in the manner set out in the said by-laws, and that The Corporation of the Township of Toronto was granted permission to undertake the construction of sewage works and provide that the capital costs of such sewage works may be assessed and levied on all the rateable property in the Township and the cost of maintenance, operation and management of such sewage works may be assessed and levied on the rateable properties in any defined area in the Township; and whereas it is desirable that the cost of maintenance, operation and management of sewage works as defined in *The Township of Toronto Act, 1959* be assessed and levied on the rateable property in any defined area of the Township; and whereas the petitioner has prayed for special legislation in connection therewith; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Township of Toronto Act, 1959* is amended by ^{1959, c. 137, amended} adding thereto the following section:

7a.—(1) Notwithstanding sections 5 and 64 of *The Local Improvement Act*, the council of The Corporation of ^{Acquisition of sewage works} the Township of Toronto may accept conveyances, ^{R.S.O. 1950, c. 215} dedications, grants or gifts of sewage works within the meaning of this Act that do not involve any capital expenditure by the Township.

Former
acquisitions
confirmed

- (2) The acceptance by the council of The Corporation of the Township of Toronto of any sewage works that may heretofore have been conveyed, dedicated, granted or given to it is hereby confirmed.

Main-
tenance
costs

- (3) The Corporation of the Township of Toronto may by by-law, subject to the approval of the Ontario Municipal Board, provide that the cost of maintenance, operation and management of sewage works referred to in this section shall be assessed and levied on the rateable property in any defined area in the Township.

Commence-
ment

- 2.** This Act shall be deemed to have come into force on the 1st day of January, 1960.

Short title

- 3.** This Act may be cited as *The Township of Toronto Act, 1960*.





An Act respecting the
Township of Toronto

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. DAVIS

(*Private Bill*)

BILL Pr40

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Township of Toronto

MR. DAVIS

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr40

1960

An Act respecting the Township of Toronto

WHEREAS The Corporation of the Township of Toronto Preamble
by its petition has represented that under *The Township of Toronto Act, 1959* 1959, c. 137 all outstanding capital costs of sewage works in the Township of Toronto existing on the 1st day of January, 1959, were assessed and levied on all the rateable property in the Township and that the maintenance, operation and management costs of such sewage works, where applicable, continue to be assessed and levied or charged on the rateable property in the areas as defined in by-laws applicable thereto and in the manner set out in the said by-laws, and that The Corporation of the Township of Toronto was granted permission to undertake the construction of sewage works and provide that the capital costs of such sewage works may be assessed and levied on all the rateable property in the Township and the cost of maintenance, operation and management of such sewage works may be assessed and levied on the rateable properties in any defined area in the Township; and whereas it is desirable that the cost of maintenance, operation and management of sewage works as defined in *The Township of Toronto Act, 1959* be assessed and levied on the rateable property in any defined area of the Township; and whereas the petitioner has prayed for special legislation in connection therewith; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Township of Toronto Act, 1959* is amended by 1959, c. 137, amended adding thereto the following section:

7a.—(1) Notwithstanding sections 5 and 64 of *The Local Improvement Act*, the council of The Corporation of the Township of Toronto may accept conveyances, dedications, grants or gifts of sewage works within the meaning of this Act that do not involve any capital expenditure by the Township. Acquisition of sewage works R.S.O. 1950 c. 215

Former
acquisitions
confirmed

- (2) The acceptance by the council of The Corporation of the Township of Toronto of any sewage works that may heretofore have been conveyed, dedicated, granted or given to it is hereby confirmed.

Main-
tenance
costs

- (3) The Corporation of the Township of Toronto may by by-law, subject to the approval of the Ontario Municipal Board, establish an area or areas in the Township and provide that thereafter the cost of maintenance, operation and management of sewage works referred to in this section shall be assessed and levied on the rateable property in such defined area or areas.

Commence-
ment

- 2.** This Act shall be deemed to have come into force on the 1st day of January, 1960.

Short title

- 3.** This Act may be cited as *The Township of Toronto Act, 1960*.

An Act respecting the
Township of Toronto

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. DAVIS

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr40

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Township of Toronto

MR. DAVIS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr40

1960

An Act respecting the Township of Toronto

WHEREAS The Corporation of the Township of Toronto Preamble
 by its petition has represented that under *The Township* 1959, c. 137
of Toronto Act, 1959 all outstanding capital costs of sewage
 works in the Township of Toronto existing on the 1st day
 of January, 1959, were assessed and levied on all the rateable
 property in the Township and that the maintenance, operation
 and management costs of such sewage works, where applicable,
 continue to be assessed and levied or charged on the rate-
 able property in the areas as defined in by-laws applicable
 thereto and in the manner set out in the said by-laws, and
 that The Corporation of the Township of Toronto was granted
 permission to undertake the construction of sewage works
 and provide that the capital costs of such sewage works may
 be assessed and levied on all the rateable property in the
 Township and the cost of maintenance, operation and manage-
 ment of such sewage works may be assessed and levied on
 the rateable properties in any defined area in the Township;
 and whereas it is desirable that the cost of maintenance,
 operation and management of sewage works as defined in
The Township of Toronto Act, 1959 be assessed and levied on
 the rateable property in any defined area of the Township;
 and whereas the petitioner has prayed for special legislation
 in connection therewith: and whereas it is expedient to grant
 the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. *The Township of Toronto Act, 1959* is amended by 1959, c. 137,
 adding thereto the following section: amended

7a.—(1) Notwithstanding sections 5 and 64 of *The Local* Acquisition
Improvement Act, the council of The Corporation of of sewage
 the Township of Toronto may accept conveyances, works
 dedications, grants or gifts of sewage works within R.S.O. 1950
 the meaning of this Act that do not involve any c. 215
 capital expenditure by the Township.

Former
acquisitions
confirmed

- (2) The acceptance by the council of The Corporation of the Township of Toronto of any sewage works that may heretofore have been conveyed, dedicated, granted or given to it is hereby confirmed.

Main-
tenance
costs

- (3) The Corporation of the Township of Toronto may by by-law, subject to the approval of the Ontario Municipal Board, establish an area or areas in the Township and provide that thereafter the cost of maintenance, operation and management of sewage works referred to in this section shall be assessed and levied on the rateable property in such defined area or areas.

Commence-
ment

- 2.** This Act shall be deemed to have come into force on the 1st day of January, 1960.

Short title

- 3.** This Act may be cited as *The Township of Toronto Act, 1960*.





An Act respecting the
Township of Toronto

1st Reading

February 11th, 1960

2nd Reading

March 3rd, 1960

3rd Reading

March 8th, 1960

MR. DAVIS

BILL Pr41

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the City of Hamilton

MR. EDWARDS (Wentworth)

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY



BILL Pr41

1960

An Act respecting the City of Hamilton

WHEREAS The Corporation of the City of Hamilton Preamble by its petition has represented that it may wish to purchase all the shares of The Hamilton Street Railway Company, at such price and subject to such terms and conditions as may be determined by the Council and approved by the Ontario Municipal Board; and whereas the petitioner has prayed that it may be authorized to raise upon debentures of the Corporation, by by-law to be passed without the assent of the electors, the amount of the purchase price aforesaid; and whereas the petitioner has also prayed that it be authorized to transfer all such shares to a commission which may be established by the Corporation as hereinafter provided, which transfer would carry with it the ownership and control of The Canada Coach Lines Limited, which is a wholly-owned subsidiary of The Hamilton Street Railway Company, and that the Commission be empowered to operate, maintain and extend the whole of the transportation system of The Hamilton Street Railway Company and The Canada Coach Lines Limited, and to exercise the powers and duties hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Commission" means the Hamilton Transit Commission;
- (b) "Company" means The Hamilton Street Railway Company;
- (c) "Corporation" means The Corporation of the City of Hamilton;
- (d) "Council" means the council of The Corporation of the City of Hamilton.

Power
to acquire
Company

2.—(1) The Corporation is authorized to acquire by by-law of the Council, without the assent of the electors, all the shares of the Company at such price and upon such terms and conditions as may be determined by the Council and approved by the Ontario Municipal Board.

Debentures

(2) The Council is authorized to raise upon debentures of the Corporation, by by-law to be passed without the assent of the electors, the amount of the purchase price as aforesaid.

Establish
Commission

(3) The Council may by by-law establish a commission, under the name of "Hamilton Transit Commission", for the general management, operation and control of the transportation system of the Company and its subsidiary hereinafter mentioned, with powers, rights, duties and responsibilities as hereinafter provided, and may transfer to the Commission the shares of the Company so acquired, on such terms as the Corporation may by by-law of the Council determine, the transfer to carry with it the ownership and control of The Canada Coach Lines Limited, which is a wholly-owned subsidiary of the Company.

Raise
further
sums

(4) The Council is authorized to raise upon debentures of the Corporation or otherwise, by by-law to be passed without the assent of the electors, such sums as may from time to time be required for the purposes of the Commission.

Composition
of Com-
mission

3.—(1) The Commission shall be a body corporate and shall consist of three members, who shall be appointed by the Council on the nomination of the board of control, and the members so appointed shall hold office for three years concurrently and until their successors are appointed.

Termination
of office

(2) The term of office of any member of the Commission may at any time be terminated upon the recommendation of the board of control by by-law of the Council passed by a vote of at least two-thirds of the members of the Council.

Chairman

(3) One of the members shall be appointed chairman by the Council on the nomination of the board of control and shall hold office for one year and until his successor is appointed and may be removed upon the recommendation of the board of control by by-law of the Council passed by a vote of at least two-thirds of the members of the Council.

Filling
vacancies

(4) Where a vacancy occurs from any cause, the Council shall as soon as possible appoint in the manner aforesaid a member who shall hold office for the remainder of the term for which his predecessor was appointed, and a vacancy in the office of chairman shall be similarly filled.

(5) No member of the Council is eligible to be appointed a member of the Commission during his term of office or, in the event that he shall have for any reason ceased to be a member of the Council, during the unexpired term for which he was elected. ^{Council members not eligible}

(6) Any member is eligible for re-appointment upon the expiration of his term of office, provided he is otherwise qualified. ^{Re-appointment}

(7) A majority of the members of the Commission constitute a quorum. ^{Quorum}

(8) Neither the chairman nor any member of the Commission is entitled to any remuneration for his services in respect thereof. ^{No remuneration}

4.—(1) Upon the transfer of the shares to the Commission, as aforesaid, the Commission has the right to hold and vote the shares and is responsible for the general management, regulation and control of the Company and of the public transportation system owned by it, including, subject to the provisions of *The Highway Traffic Act* and *The Public Vehicles Act* with respect to services outside the City of Hamilton, the transportation system of The Canada Coach Lines Limited, and, without restricting the generality of the foregoing, has power, ^{Powers of Commission} ^{R.S.O. 1950, cc. 167, 322}

- (a) to enact by-laws for the better government and control of its affairs, operations and undertakings;
- (b) to borrow by way of temporary loans from the bank used by the Corporation sums not exceeding \$200,000 at any time, but the Commission has no power to mortgage any property;
- (c) to requisition the Corporation from time to time for any moneys necessary to carry out its powers and duties, but nothing in this Act divests the Council of its right to refuse to provide any such moneys.

(2) When any such moneys are authorized by the Council, the treasurer of the Corporation shall pay such moneys to the Commission. ^{Payment of moneys to Commission}

(3) It is also the duty of the Commission to consider generally all matters relating to local transportation and, subject to the provision of any necessary funds by the Council, to provide such facilities as it may consider necessary for such purpose. ^{Idem}

Finances

5.—(1) With the intent that the transportation system shall be self-sustaining, the Commission shall so establish a fare structure that revenues shall be produced that shall be, in each year, sufficient to provide for,

- (a) the operation and maintenance expenses, including provisions for depreciation at rates that are generally accepted as being adequate in the transportation industry;
- (b) the interest and principal on the outstanding long-term indebtedness of the Company and of its wholly-owned subsidiary as at the date of purchase by the Corporation;
- (c) the interest and principal payable on the debentures issued by the Corporation to acquire the transportation system and the interest and principal on any moneys subsequently borrowed by the Corporation for the purposes of the Commission;
- (d) a reasonable sum to be credited to a reserve for the stabilization of fares.

Surplus funds

(2) Any funds remaining in any year after provision has been made for the purposes set forth in subsection 1 shall be allocated by the Commission for the improvement and extension of the transportation system.

Debenture payments

(3) The Commission shall remit to the Corporation, on or before the maturity date thereof, any interest and principal payable by the Corporation as provided for in clause c of subsection 1.

Report to Council

6. Before the 15th day of February of each year, the Commission shall submit to the Council a report on the transportation system in a form approved by the Council.

Inspection of accounts, etc.

7. The auditors of the Corporation shall be the auditors of the Commission, and all books, documents, transactions and accounts of the Commission shall at all times be open for the inspection of the treasurer and the auditors of the Corporation.

Insurance

8. The Commission shall at all times cause to be insured all real and personal property of the Company and its subsidiary, and such insurance shall include public liability and indemnity insurance in connection with all phases of the operation of the Company and its subsidiary, except only such items of liability

as may be covered by *The Workmen's Compensation Act*.

R.S.O. 1950,
c. 430

9. All claims, accounts and demands arising from or relating ^{Claims} to the operation, management or control of the transportation system or from the exercise of any of the powers of the Commission shall be made upon and brought against the Commission and not upon or against the Corporation, and the Commission may sue and be sued in its own corporate name.

10. The power of the Corporation to acquire land for its ^{Acquiring} purposes shall be deemed to include the power to acquire ^{land} land for the purposes of the Commission.

11. The Corporation may at any time by by-law of the ^{May} Council apply to the Provincial Secretary to wind up the ^{wind up} corporate existence of The Hamilton Street Railway Company ^{Company,} or The Canada Coach Lines Limited, or either of them, and the Commission shall thereupon and thereafter stand for all purposes in the place and stead of the entity so wound up. ^{etc.}

12. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

13. This Act may be cited as *The City of Hamilton Act*, ^{Short title} 1960.

An Act respecting the City of Hamilton

1st Reading

2nd Reading

3rd Reading

MR. EDWARDS (Wentworth)

(*Private Bill*)

BILL Pr41

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Hamilton

MR. EDWARDS (Wentworth)

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr41

1960

An Act respecting the City of Hamilton

WHEREAS The Corporation of the City of Hamilton Preamble by its petition has represented that it may wish to purchase all the shares of The Hamilton Street Railway Company, at such price and subject to such terms and conditions as may be determined by the Council and approved by the Ontario Municipal Board; and whereas the petitioner has prayed that it may be authorized to issue debentures of the Corporation, by by-law to be passed without the assent of the electors, the amount of the purchase price aforesaid; and whereas the petitioner has also prayed that it be authorized to transfer all such shares to a commission which may be established by the Corporation as hereinafter provided, which transfer would carry with it the ownership and control of The Canada Coach Lines Limited, which is a wholly-owned subsidiary of The Hamilton Street Railway Company, and that the Commission be empowered to operate, maintain and extend the whole of the transportation system of The Hamilton Street Railway Company and The Canada Coach Lines Limited, and to exercise the powers and duties hereinafter set forth; and whereas it is expedient to grant the prayer of the petition:

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Commission" means the Hamilton Transit Commission;
- (b) "Company" means The Hamilton Street Railway Company;
- (c) "Corporation" means The Corporation of the City of Hamilton;
- (d) "Council" means the council of The Corporation of the City of Hamilton.

Power
to acquire
Company

2.—(1) The Corporation is authorized to acquire by by-law of the Council, without the assent of the electors, all the shares of the Company at such price and upon such terms and conditions as may be determined by the Council and approved by the Ontario Municipal Board.

Debentures

(2) The Council may pass a by-law, without the assent of the electors, to authorize the issue of debentures of the Corporation in such principal amount as the Council deems necessary for the purpose of acquiring all the shares of the Company, and may for such purpose sell such debentures or deliver them to the shareholders of the Company.

Establish
Commission

(3) In the event that the Corporation acquires the shares of the Company as aforesaid, the Council shall by by-law establish a commission, under the name of "Hamilton Transit Commission", for the general management, operation and control of the transportation system of the Company and its subsidiary hereinafter mentioned, with powers, rights, duties and responsibilities as hereinafter provided, and shall transfer to the Commission the shares of the Company so acquired, on such terms as the Corporation shall by by-law of the Council determine, the transfer to carry with it the ownership and control of The Canada Coach Lines Limited, which is a wholly-owned subsidiary of the Company.

Raise
further
sums

(4) The Council is authorized to raise upon debentures of the Corporation or otherwise, by by-law to be passed without the assent of the electors, such sums as may from time to time be required for the purposes of the Commission.

Composition
of Com-
mission

3.—(1) The Commission shall be a body corporate and shall consist of three members, who shall be residents of the City of Hamilton or of municipalities adjacent thereto and who shall be appointed by the Council on the nomination of the board of control, and the members so appointed shall hold office for three years concurrently and until their successors are appointed.

Termination
of office

(2) The term of office of any member of the Commission may at any time be terminated upon the recommendation of the board of control by by-law of the Council passed by a vote of at least two-thirds of the members of the Council.

Chairman

(3) One of the members of the Commission shall be appointed chairman by the Council on the nomination of the board of control and shall hold office for one year and until his successor is appointed and may be removed upon the

recommendation of the board of control by by-law of the Council passed by a vote of at least two-thirds of the members of the Council.

(4) Where a vacancy occurs from any cause, the Council shall as soon as possible appoint in the manner aforesaid a member who shall hold office for the remainder of the term for which his predecessor was appointed, and a vacancy in the office of chairman shall be similarly filled. ^{Filling vacancies}

(5) No member of the Council is eligible to be appointed a member of the Commission during his term of office or, in the event that he shall have for any reason ceased to be a member of the Council, during the unexpired term for which he was elected. ^{Council members not eligible}

(6) Any member of the Commission is eligible for re-appointment upon the expiration of his term of office, provided he is otherwise qualified. ^{Re-appointment}

(7) A majority of the members of the Commission constitute a quorum. ^{Quorum}

(8) Neither the chairman nor any member of the Commission is entitled to any remuneration for his services in respect thereof. ^{No remuneration}

4.—(1) Upon the transfer of the shares to the Commission, as aforesaid, the Commission has the right to hold and vote the shares and is responsible for the general management, regulation and control of the Company and of the public transportation system owned by it, including, subject to the provisions of *The Highway Traffic Act* and *The Public Vehicles Act* with respect to services outside the City of Hamilton, the transportation system of the Company and its subsidiary, and, without restricting the generality of the foregoing, has power, ^{Powers of Commission} ^{R.S.O. 1950, cc. 167, 322}

- (a) to enact by-laws for the better government and control of its affairs, operations and undertakings;
- (b) to borrow by way of temporary loans from any chartered bank sums not exceeding \$200,000 at any time, but the Commission has no power to mortgage any property;
- (c) to requisition the Corporation from time to time for any moneys necessary to carry out its powers and duties, but nothing in this Act divests the Council of its right to refuse to provide any such moneys.

Payment of moneys to Commission (2) When any such moneys are authorized by the Council, the treasurer of the Corporation shall pay such moneys to the Commission.

Idem (3) It is also the duty of the Commission to consider generally all matters relating to local transportation and, subject to the provision of any necessary funds by the Council, to provide such facilities as it may consider necessary for such purpose.

Finances **5.**—(1) With the intent that the transportation system shall be self-sustaining, the Commission shall so establish a fare structure that revenues shall be produced that shall be, in each year, sufficient to provide for,

- (a) the operation and maintenance expenses, including provisions for depreciation at rates that are generally accepted as being adequate in the transportation industry;
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Surplus funds (2) Any funds remaining in any year after provision has been made for the purposes set forth in subsection 1 shall be allocated by the Commission for the improvement and extension of the transportation system.

Debenture payments (3) The Commission shall remit to the Corporation, on or before the maturity date thereof, any interest and principal payable by the Corporation as provided for in clause c of subsection 1.

Report to Council **6.** Before the 28th day of February of each year, the Commission shall submit to the Council a report on the transportation system in a form approved by the Council.

Inspection of accounts, etc. **7.** The auditors of the Corporation shall be the auditors of the Commission, and all books, documents, transactions and

accounts of the Commission shall at all times be open for the inspection of the treasurer and the auditors of the Corporation.

8. The Commission shall at all times cause to be insured all ^{Insurance} real and personal property of the Company and its subsidiary, and such insurance shall include public liability and indemnity insurance in connection with all phases of the operation of the Company and its subsidiary, except only such items of liability as may be covered by *The Workmen's Compensation Act*. R.S.O. 1950, c. 430

9. All claims, accounts and demands arising from or relating ^{Claims} to the operation, management or control of the transportation system or from the exercise of any of the powers of the Commission shall be made upon and brought against the Commission and not upon or against the Corporation, and the Commission may sue and be sued in its own corporate name.

10. The power of the Corporation to acquire land for its ^{Acquiring land} purposes shall be deemed to include the power to acquire land for the purposes of the Commission and the power to transfer to the Commission the title to any such land.

11. The Corporation may at any time by by-law of the Council require the Commission to apply to the Provincial ^{May wind up Company, etc.} Secretary to wind up the corporate existence of The Hamilton Street Railway Company and The Canada Coach Lines Limited, or either of them, and the Commission shall thereupon and thereafter stand for all purposes in the place and stead of the entity so wound up.

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An Act respecting the City of Hamilton

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. EDWARDS (Wentworth)

*(Reprinted as amended by the
Committee on Private Bills)*

BILL Pr41

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting the City of Hamilton

MR. EDWARDS (Wentworth)

**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
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An Act respecting the City of Hamilton

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- (b) the interest and principal on the outstanding long-term indebtedness of the Company and of its wholly-owned subsidiary as at the date of purchase by the Corporation;
- (c) the interest and principal payable on the debentures issued by the Corporation to acquire the transportation system and the interest and principal on any moneys subsequently borrowed by the Corporation for the purposes of the Commission;
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8. The Commission shall at all times cause to be insured all ^{Insurance} real and personal property of the Company and its subsidiary, and such insurance shall include public liability and indemnity insurance in connection with all phases of the operation of the Company and its subsidiary, except only such items of liability as may be covered by *The Workmen's Compensation Act*. R.S.O. 1950.
c. 430

9. All claims, accounts and demands arising from or relating ^{Claims} to the operation, management or control of the transportation system or from the exercise of any of the powers of the Commission shall be made upon and brought against the Commission and not upon or against the Corporation, and the Commission may sue and be sued in its own corporate name.

10. The power of the Corporation to acquire land for its ^{Acquiring land} purposes shall be deemed to include the power to acquire land for the purposes of the Commission and the power to transfer to the Commission the title to any such land.

11. The Corporation may at any time by by-law of the ^{May} Council require the Commission to apply to the Provincial ^{wind up} Secretary to wind up the corporate existence of The Hamilton ^{Company,} Street Railway Company and The Canada Coach Lines Limited, or either of them, and the Commission shall thereupon and thereafter stand for all purposes in the place and stead of the entity so wound up. ^{etc.}

12. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

13. This Act may be cited as *The City of Hamilton Act*, ^{Short title} 1960.

An Act respecting the City of Hamilton

1st Reading

February 11th, 1960

2nd Reading

March 8th, 1960

3rd Reading

March 17th, 1960

Mr. Edwards (Wentworth)

BILL Pr42

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Town of Ajax

MR. THOMAS

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY



BILL Pr42

1960

An Act respecting the Town of Ajax

WHEREAS The Corporation of the Town of Ajax by ^{Preamble} its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 309 of the Town of Ajax and the agreement ^{Agreement confirmed} entered into by The Corporation of the Town of Ajax and Industrial Steam Limited, dated the 1st day of February, 1960, set forth as the Schedule hereto, are ratified and confirmed and declared to be legal, valid and binding on the parties thereto and the partners to the agreement are empowered to carry out the terms thereof.

2. Industrial Steam Limited is hereby granted the right ^{Powers of Industrial Steam Ltd.} to exercise its corporate powers and the powers of expropriation hereinafter conferred within the Town of Ajax, and the assent of the municipal electors of the Town of Ajax to the exercise of such powers is hereby dispensed with.

3. Industrial Steam Limited may expropriate land within the Town of Ajax that may be required for its work, or any ^{Expropriation powers} extension thereof, and the powers of expropriation hereby conferred shall be exercised under and in accordance with *The R.S.O. 1950, c. 331 Railways Act.*

4. This Act comes into force on the day it receives Royal ^{Commencement} Assent.

5. This Act may be cited as *The Town of Ajax Act, 1960.* ^{Short title}

SCHEDULE

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW No. 309

A BY-LAW authorizing the execution of an Agreement between The Corporation of the Town of Ajax and Industrial Steam Limited.

THE COUNCIL of The Corporation of the Town of Ajax enacts as follows:

1. The Agreement dated the First day of February, A.D. 1960, between Industrial Steam Limited of the first part and The Corporation of the Town of Ajax of the second part, a copy whereof is set out in Schedule "A" to this By-law, is hereby adopted, approved, ratified and confirmed.

2. The Mayor and Clerk are hereby authorized and directed to execute the said Agreement on behalf of the said Corporation and to affix the corporate seal thereto.

READ a first time this First day of February, 1960.

READ a second time this First day of February, 1960.

READ a third time and finally passed this First day of February, 1960.

W. A. PARISH,
Mayor.

B. C. FALBY,
Clerk.

Schedule "A" to By-law No. 309

THIS AGREEMENT made in triplicate this First day of February, A.D. 1960.

BETWEEN:

INDUSTRIAL STEAM LIMITED,
(hereinafter called the "Licensee"),

OF THE FIRST PART,

—and—

THE CORPORATION OF THE TOWN OF AJAX,
(hereinafter called the "Town"),

OF THE SECOND PART.

WHEREAS the Licensee has applied to the Town for a licence to operate and maintain a steam distribution system situate within the corporate limits of the Town;

AND WHEREAS it has been deemed advisable to grant such a licence to the Licensee subject to the terms, conditions and provisos hereinafter contained, it being agreed between the parties hereto that the fulfilment of said terms, conditions and provisos is a condition precedent to the granting of this franchise by the Town to the Licensee, and upon the non-fulfilment of any term, condition or provision hereinafter set out, then it is agreed that this agreement, at the option of the Town, shall be null and void, as if the same had never been executed, as hereinafter provided;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements, the parties hereto mutually covenant and agree the one with the other as follows:

1. The Town hereby grants permission to the Licensee to operate, maintain, alter, extend and construct a central steam heating plant and underground steam distribution system, subject to the provisions of paragraphs 2 and 3 hereof, within the corporate limits of the Town, subject to the fulfilment by the Licensee of the terms, conditions and provisions hereinafter contained, which terms, conditions and provisions and the fulfilment thereof are conditions precedent to the exercise, enjoyment and existence of the rights, powers and privileges hereby granted by the Town to the Licensee. It is hereby agreed between the parties hereto that the non-fulfilment of any term, condition or provision by the Licensee shall, subject to the provisions of paragraph 22 hereof, render this agreement, at the option of the Town, null and void as if these presents had not been executed; provided, however, that the exercise of such option shall not affect or interfere with the existence of any rights or obligations which have arisen by virtue of this agreement up to the date said agreement is rendered null and void aforesaid or anything done or omitted to be done pursuant to such rights or obligations.

2. Notwithstanding paragraph 1 hereof and subject to paragraph 3 hereof, the Licensee is hereby granted permission to lay, construct, extend, replace, operate and use lines of pipes and appurtenances thereto under all streets and public places for the purpose of distribution of steam for heat and processing; provided, however, appurtenances may extend up to grade level or, with the consent of the Town Engineer, above grade level.

3. Notwithstanding paragraph 1 hereof, the Licensee is hereby granted permission to operate and use lines of pipes and appurtenances thereto which at the date of this agreement are not installed underground; provided, however, that the Licensee shall on or before the 30th day of April, 1965, remove or install underground all lines of pipes and appurtenances thereto situate upon streets and public places which at the date of this agreement are not installed underground; provided further that all lines of pipes and appurtenances thereto which at the date of this agreement are not installed underground shall be removed or installed

underground before any renewal or extension of this agreement becomes effective; provided further that the steam line presently unused and running from the point of disconnection from the live lines at or near Monarch Avenue between Hunt Street and Bayly Street, thence easterly towards Harwood Avenue to a point approximately 700' from Harwood Avenue, thence southerly and more or less parallel to Harwood Avenue to a point near the north limit of Third Street, shall be dismantled and removed on or before the First day of September, 1960; provided further that all lines of pipes and appurtenances thereto which may be constructed from and after the date of this agreement shall be installed underground, save and except appurtenances only which may extend up to grade level, or, with the consent of the Town Engineer, above grade level; provided further that lines of pipes and appurtenances thereto may be installed at or above grade level within ten (10) feet of any building of a consumer; provided further that lines of pipes and appurtenances thereto situate within wholly enclosed buildings or situate within 100' of the main walls of the existing steam plant building may be installed up to or above grade level. It is hereby agreed between the parties that should the Licensee make default of any of the provisions of this paragraph, such default shall not be capable of remedy as set out in paragraph 22 of this agreement; provided, however, that the Licensee shall be absolved from its obligations as set out in this paragraph, when and to the extent that the Licensee is delayed, hindered or prevented by any cause (except financial) beyond the reasonable control of the Licensee including fire, explosions, strikes, walkouts and inability to obtain labour and material.

4. (a) Except in the case of existing lines of pipe and appurtenances, the Licensee shall use lines of pipe and appurtenances thereto which at the date of installation comply with the standards as laid down in the American Standard Code for pressure piping A.S.A. B 31.1, 1955, as the same may be amended from time to time and such lines of pipe and appurtenances shall be approved by the Town Engineer before the same are put into operation by the Licensee.

(b) The maximum pressure which shall be applied to any pipe or appurtenance thereto shall not exceed the capacity for which the same were designed in accordance with the standards hereinbefore referred to; provided, however, this clause shall not apply to any tests carried out under the supervision of any regulating authority or of the Town Engineer.

5. (a) The Town Engineer shall furnish to the Licensee from time to time such plans as the Town Engineer may have in his possession as to the location of municipal services for the purpose of enabling the Licensee to construct lines of pipes and appurtenances; provided, however, that the Town shall not be responsible or liable for any damage or loss which may occur by reason of the reliance of the Licensee upon the accuracy of such plans. The Licensee, in consideration of the Town executing these presents, hereby undertakes to hold harmless and agrees to indemnify the Town from any liability incurred by the Town by reason of the furnishing of such plans by the Town Engineer.

(b) The Licensee, before constructing or attempting to construct any pipes and/or appurtenances thereto on or under any streets or public places, shall make application to the Town Engineer in a form approved by the Town, for a permit to carry out said construction. The application shall be accompanied by a plan or plans showing the plan and profile of the proposed lines of pipe and/or appurtenances together with a plan of the location of all other municipal services on the street and/or public place insofar as such information is available named in the said application. No such construction shall be commenced by the Licensee until a permit has been issued by the Town Engineer in regard to said construction. Construction authorized by the issuance of a permit must be commenced within six (6) months of the date of the permit, otherwise the permit shall be null and void and the Licensee shall make another application for a permit in regard to said construction not so commenced. Following commencement of construction the Licensee shall proceed to complete the construction in as expeditious a manner as possible having regard to the circumstances.

(c) The Town Engineer shall have a reasonable time within which to consider any application made pursuant to the provisions of paragraph 5 (b) hereof and to issue or refuse to issue a permit therefor. If the Town Engineer refuses a permit he shall state his reasons for so doing and the Licensee shall have the right to dispute the sufficiency of such reasons.

(d) The Licensee shall notify in writing the Town Engineer at least ninety-six (96) hours prior to the breaking up or interfering with any street or public place by the Licensee for any of the purposes authorized by this agreement. No more than five hundred (500) feet of any one street or public place shall be broken up at any one time by the Licensee, unless the permission in writing of the Town Engineer has been granted.

(e) The Licensee shall, prior to commencement of construction of any lines of pipe and appurtenances on any property, other than a street or public place, ascertain from the Town Engineer the location of any municipal services therein and shall ensure that such construction does not interfere with any municipal services the existence of which shall have been notified to the Licensee by the Town Engineer. The Licensee shall deposit with the Town Engineer at least forty-eight (48) hours before construction on property other than streets and public places, plans and specifications which will show, inter alia, the location of lines of pipes and appurtenances thereto to be constructed and specifications of lines of pipes and appurtenances thereto to be constructed in a form satisfactory to the Town Engineer.

(f) The Licensee shall file with the Town Engineer within thirty (30) days of the completion of the construction, final plans showing the exact location of any pipes and/or appurtenances. All construction for which a permit has been issued shall be constructed in conformity with and agree with the plan or plans thereof submitted to the Town Engineer with the application for the said permit.

6. The Licensee, on or before the execution of this agreement, shall deposit with the Treasurer of the Town a letter of credit from any Chartered Bank in Canada in the sum of \$2,000.00 in Canadian currency and approved by the Town to serve as a continuing guarantee that within a reasonable time the Licensee shall restore the streets and public places, and the sub-soil and the surface thereof, to a condition equally as good as before being disturbed by the Licensee, and if the Licensee shall fail, refuse or neglect so to restore within a reasonable time after notice in writing by the Town, then the Town may restore as aforesaid, and the cost thereof shall be payable by the Licensee to the Town and the Town may draw on such letter of credit to the extent of such cost, and the Licensee shall forthwith furnish a further letter of credit approved by the Town in an amount equal to that drawn by the Town; provided, however, that the Town shall not be deemed to be the agent or contractor of the Licensee, and provided further that the said restoration by the Town shall be without prejudice to any other rights of the Town under this agreement. Such restoration shall be done to the satisfaction of and shall be subject to the inspection and approval of the Town Engineer.

7. The Licensee shall not tap or connect with any storm sewer in a street or public place occupied by any pipe and/or appurtenance thereto owned by the Licensee, and the trenches in which same are laid, until the Licensee shall obtain the written consent of the Town Engineer. The said tapping and connecting shall be done to the satisfaction of and shall be subject to the inspection and approval of the Town Engineer. The Town Engineer shall consent or refuse to consent to such tapping or connection within a reasonable time and shall specify his reasons for any refusal to consent and the Licensee shall have the right to dispute the sufficiency of such reasons.

8. The Licensee shall provide steam for heating and processing as in this agreement set out, continuously and without interruption; provided, however, that in the case of pipes supplying steam for the purposes of heating only, the Licensee shall supply steam continuously and without interruption from the 15th day of September in each year to the following 15th day of June, save and except steam used for heating water.

9. Where the Licensee has a sufficient supply of steam the Licensee shall supply all premises within the corporate limits of the Town situate upon lands lying along the line of its pipes upon the request of the owner, occupant or other person in charge of any such premises.

10. (a) The Licensee shall, if required in writing by the Town, as expeditiously as possible prepare a tariff of maximum rates to be charged by the Licensee for the supply of steam and the manner in which the said rates shall be paid by the consumer, which tariff before becoming operative shall be approved by the Ontario Municipal Board or its successor. Nothing herein contained shall affect any contract for the supply of steam now in effect or hereafter entered into by the Licensee prior to the approval of the said tariff as herein provided for. No rate or charge for the supply of steam shall be imposed by the Licensee upon a consumer in excess of the tariff of maximum rates aforesaid. The Licensee shall have the right from time to time to amend the said tariff provided that no such amendment shall come into effect until approved by the Ontario Municipal Board at a public hearing.

(b) The Licensee shall deliver, forthwith upon demand, to any person a copy of its tariff of rates for the time being in effect, without charge.

11. (a) The Licensee shall store any fuel used in connection with any steam heating plant in an area to be wholly enclosed by a fence of a height not less than six (6) feet.

(b) The Licensee shall not operate the steam distribution system in a manner so as to create a nuisance.

(c) In this section,

- (i) "Dust" means gas-borne and air-borne particles larger than 10 microns in mean diameter;
- (ii) "Fly-ash" means fine solid particles, consisting mostly of incom-bustible material, that are entrained in and carried by the gaseous products of combustion;
- (iii) "Fumes" means gases or vapours that are of such character as to create an unclean, destructive, offensive or unhealthful condition;
- (iv) "Ringelmann Smoke Chart" means the Ringelmann smoke chart published by the United States Bureau of Mines or facsimile when the same is used in accordance with the instructions published by the said Bureau;
- (v) "Smoke" means small gas-borne particles consisting essentially of carbonaceous material in sufficient number to be observable;
- (vi) "Soot" means agglomerated particles consisting essentially of carbonaceous material.

(d) The Licensee shall not discharge or permit to be discharged or emit or permit to be emitted to the atmosphere, smoke, dust, fly-ash, soot, fumes, or other solids or gaseous products of combustion, the shade or appearance of which is equal to or greater than No. three Ringelmann Smoke Chart or so dense that it cannot be seen through at the point of emission or discharge, for a period of or periods aggregating six (6) minutes in any one hour, or the shade or appearance of which is equal to or greater than No. two Ringelmann Smoke Chart, or so dense as to be dimly seen through at the point of emission or discharge, for a period of or periods aggregating ten (10) minutes or more in any one hour.

12. The Licensee shall grant access to the Town, its officers, servants, employees and agents and the Town Engineer at all reasonable times to enter into and upon the property, buildings, plant, pipes and appurtenances thereto for the purpose of inspection; provided that the Licensee shall not be responsible for any injury to or death of any person to whom access is granted unless the same is caused by the negligence of the Licensee, its servants or agents or by any breach of this agreement by the Licensee.

13. The Licensee shall use a uniform method of keeping accounts, records and books, which shall contain all details of the finances and business of the Licensee relating to the steam system.

14. The Council of the Town may determine by resolution the amount of the fee or fees to be paid to the Town for any permit or permits in this agreement set out, and may alter by resolution from time to time the amount of said fee or fees; provided, however, that the fee or fees shall not be greater than those imposed on other public utilities for like purposes having regard to the services or work to be performed by the Town in connection with such permit.

15. The Licensee shall be subject to, and liable for payment of, all municipal taxes, rates, charges and assessments of any kind whatsoever, levied, imposed, rated and struck by the Council of the Town, the Hydro Commission of the Town, and any other body or authority so authorized, from time to time.

16. The Council of the Town by resolution from time to time may order the relocation of lines of pipes and appurtenances thereto on any street or public place. The Licensee shall furnish to the Town all relevant information it may have in its possession relevant to such relocation. Relocation shall be planned so as not to deprive any consumer of supply except during construction. The Licensee, within a reasonable time, having regard to the circumstances, after the receipt by it of plans and profiles from the Town Engineer setting out details of said relocation, shall commence the construction of said relocation and shall carry out same continuously in as expeditious a manner as possible having regard to the circumstances. Save as in this section set out, the provisions of this agreement applying to construction shall apply to said relocation. The costs of any relocation requested by the Town aforesaid, shall be paid by the Town; provided, however, the Town shall not be liable in any way for any loss or damage which may be caused by reason of any relocation save and except the actual costs of construction in regard to said relocation, and save and except where such loss or damage necessarily results from the Licensee's compliance with the order of the Town or any directions of the Town Engineer and it is expressly understood and agreed that the Town shall not be liable for any steam loss (including line loss) or any loss or damage resulting from the omission or negligence of the Licensee, its contractors, servants or agents.

17. Nothing in this agreement set out shall interfere in any way with any right or privilege in the Town, or the jurisdiction of the Town, which it had, prior to the execution of these presents, in any street or public place, nor shall it interfere with in any way any right, privilege or jurisdiction which the Town may have in any street or public place by virtue of future statutory enactment or judicial decision; provided, however, that nothing contained in this paragraph 17 shall affect any right or privilege granted or any liability assumed by the Licensee hereunder.

18. This agreement shall not interfere with in any way the right or privilege of any other person, who now has, or may hereafter have, to take up or otherwise use any street or public place.

19. The Licensee, notwithstanding this agreement, shall be subject to all laws, rules, regulations and by-laws of all Legislative or municipal authorities or bodies as if this agreement had never been executed; provided, however, that the assent of electors of the Town to this franchise need not be required and further provided that nothing contained in this paragraph 19 shall affect any right or privilege granted to or any liability assumed by the Licensee hereunder.

20. (a) The Licensee shall at all times wholly indemnify and save harmless the Town from and against all loss, damage, injury and expense which the Town might sustain or be liable for by reason of any damage or injury to any person or property caused by the construction, relocation, maintenance and operation by the Licensee of the steam distribution system save and except any express obligations assumed by the Town hereunder.

(b) The Licensee, on or before the execution of these presents, shall deposit with the Clerk of the Town an insurance policy in form and with insurers approved by the Town in the sum of \$200,000.00 insuring the Licensee and the Town against all claims and actions referred to in this paragraph and the Licensee will indemnify and reimburse the Town of all costs and expenses incurred by the Town in connection with said claims and actions and shall furnish a further policy approved by the Town for the same sum at any time during the life of this agreement if and when the Town deems such further policy necessary for the protection of the Town as required by a resolution of the Council of the Town; provided, however, that the Licensee may replace the said policy with another policy in a form approved by the Town and this right shall continue from time to time.

21. (a) The term of this agreement shall be for a period of twenty (20) years from its effective date as determined by the Act of the Ontario Legislature approving and ratifying this agreement; provided, however, that in the event the Licensee makes default in any of the provisions of this agreement prior to said date, then this agreement shall, subject to the provisions of paragraph 22 hereof, be terminated as of the date of said default at the option of the Town. In the event that the Licensee wishes to renew this agreement, the Licensee shall notify the Town in writing prior to the termination date of this agreement or the termination date of any renewal of this agreement, that the Licensee desires a renewal thereof for a further period of time. The Town may, but shall not be obligated to, renew by By-law this agreement from time to time for periods of time not exceeding twenty (20) years at any one time; provided, however, that "renew" shall also include renewal of this agreement as it may be amended.

(b) Provided, however, from and after the fifth anniversary of this agreement, in the event that the Licensee shall desire to expend such an amount of monies in regard to capital improvement relating to the steam distribution system that the Licensee desires an extension of time of this agreement to recover the amount of said payment through ordinary business operations, the Licensee may apply to the Ontario Municipal Board for an Order extending this agreement for any period of time up to but not exceeding twenty (20) years from the date of the Order of the Ontario Municipal Board authorizing such extension; provided, however, that the Ontario Municipal Board shall not make such Order until the Licensee has satisfied the Board at a public hearing in regard to this matter that the circumstance in which the capital improvement expenditure is proposed to be made warrants such an extension of this agreement as a public convenience and necessity; and provided further that should the Licensee fail to commence construction in regard to the capital improvement expenditure which is the subject matter of the application to the Ontario Municipal Board within six (6) months of the date of the Order of said Board extending this agreement, then said Order shall be deemed to be null and void; and provided further that in any event no Order or Orders of the Ontario Municipal Board extending this agreement shall so extend this agreement beyond the 31st day of December, 1990; provided, however, that nothing in paragraph 21 (b) shall affect the right of the Town to grant renewals as provided in paragraph 21 (a).

(c) The Licensee may at any time terminate this agreement by giving to the Town two (2) years written notice of its intention so to do.

22. Notwithstanding anything herein contained, the Licensee shall not be in default of any of the provisions of this agreement unless the Town shall have given the Licensee written notice of any event of default and the Licensee shall have failed to remedy such event of default as expeditiously as possible having regard to the circumstances after receiving such notice. Non-performance by virtue of any cause (except financial) beyond the reasonable control of the Licensee including fire, explosions, strikes, walkouts and inability to obtain labour and material shall not be deemed as a default so long as such cause exists. The Town may appeal to the board of arbitration as hereinafter set out should it be of the opinion that the Licensee is not remedying any default as expeditiously as possible having regard to the circumstances after having

received said notice and in the event that the board of arbitration finds that the Licensee is not remedying as aforesaid then the said board shall so order and the Licensee shall not be entitled to remedy such a default as herein set out.

23. This agreement may be amended from time to time by an amending agreement executed by the parties hereto and approved by By-law of the Council of the Town.

24. The Licensee shall forthwith commence the operation of the steam system upon the date that this agreement becomes effective as provided in paragraph 21 (a) herein.

25. (a) The decision of the Town Engineer in regard to any matter set out in paragraphs 4, 6, 11 (a), (c) and (d) and 16 shall be final and binding upon the parties herein without right of appeal. Either party to this agreement, in regard to a dispute arising out of any matter herein, save and except in paragraphs 4, 6, 11 (a), (c) and (d) and 16, may appeal to a board of arbitration as hereinafter constituted. There may be an appeal from the decision of a board of arbitration to the Ontario Municipal Board which shall have jurisdiction to hear and determine such appeals and such determination shall be final and binding upon the parties herein without right of appeal.

(b) In any dispute or complaint which may be appealed to a board of arbitration in this agreement, the party herein wishing to take the dispute or complaint before the board of arbitration shall notify the other party herein in writing of its intention so to do, and which notice in writing shall set out the complaint or dispute, and unless such dispute or complaint is amicably settled within a period of time to be stated in such notice the dispute shall be referred to arbitration. Within forty-eight (48) hours after the expiry of such period of time each party shall appoint one arbitrator and the two arbitrators so appointed, within forty-eight (48) hours of the time of last appointment of the first two arbitrators, shall appoint a third arbitrator and the three arbitrators shall constitute the board of arbitration. Should either party fail to appoint an arbitrator within the time mentioned, then the arbitrator named by the other party shall constitute the board of arbitration. Should the third arbitrator be not appointed by the first two arbitrators within the time set out herein, then the party herein seeking arbitration shall apply within seven (7) days of said non-appointment to a Judge of the County Court of the County of Ontario from time to time, for the appointment by said Judge of said third arbitrator. The board of arbitration shall forthwith hold a hearing regarding the dispute or complaint and shall notify the parties herein in writing of the decision of the board of arbitration in regard to said hearing as soon as reasonably possible following the termination of the hearing. The majority decision of the board of arbitration shall be final and binding upon the parties herein without right of appeal, save as herein set out.

(c) Where at a hearing of the board of arbitration of which due notice has been given, no proceedings are taken in consequence of the absence of any party, or of a postponement at the request of any party, the board of arbitration shall make up an account of the costs of the hearing, including the proper charges for its own attendance and that of any witnesses and of the counsel or the solicitor of the party present and not desiring the postponement and unless in the special circumstances of the case the board of arbitration thinks that it would be unjust so to do, the board of arbitration shall charge the amount thereof or of the disbursements against the party in default or at whose request the postponement is made and the last mentioned party shall pay the same to the other party whatever may be the decision of the board of arbitration after completing the hearing, and the board of arbitration shall, in its decision, make any direction necessary for that purpose, and the amount so charged may be set off against and deducted from any amount awarded in his favour.

(d) If any arbitrator or the third arbitrator refuses to act or is incapable of acting or dies, the party or the arbitrators or Judge by whom he was appointed, may appoint an arbitrator or a third arbitrator as

the case may be in his stead and this power may be exercised from time to time as vacancies occur.

(e) The parties to the hearing shall submit to be examined by the board of arbitration on oath, anything relating to the matters in dispute and shall produce before the board of arbitration books, deeds, papers, accounts, writings, documents and things within their possession or power respectively, which may be required or called for and do all other things which during the hearing the board of arbitration may require.

(f) The witnesses at the hearing shall be examined on oath.

(g) The costs of the hearing shall be in the discretion of the board of arbitration, who may direct to and by whom and in what manner the costs of any part thereof shall be paid. The fees chargeable by the board of arbitration shall be in accordance with the tariff in Schedule B of *The Arbitration Act*, R.S.O. 1950, chapter 20 and as it may be amended from time to time.

(h) No party may appeal a dispute or complaint to the board of arbitration until all costs in previous arbitration proceedings as set out in the decision of the board of arbitration have been paid by the said party.

(i) Either party to an arbitration before a board of arbitrators shall be entitled to appeal the decision of the board to the Ontario Municipal Board by written notice to the other given within fourteen (14) days of the date of the decision of the board of arbitrators and the Ontario Municipal Board shall have like powers and jurisdiction in regard to the hearing of said appeal as have been conferred by this agreement upon the board of arbitration herein.

(j) In the event that a complaint or dispute is appealed as in this section set out, during the period of time of appeal, should any construction interfere in any way with the use of public streets and property, the Licensee shall immediately upon receipt of written notice from the Town Engineer that such use is being interfered with, forthwith carry out such construction as may be necessary in order that normal use of public streets may be made during the period of time of appeal.

(k) Save as herein set out, the said Arbitration Act shall not apply herein, save and except sections 1 (a), (b) and (c), 9 (a) and (c), 14, 19, 25 and 28 thereof where same are not inconsistent with the terms of this agreement.

26. Notwithstanding termination of this agreement in any manner, it shall be deemed to be in full force and effect for the purpose only of completing any matter which at the date of said termination has not been completed, nor shall any such termination interfere with in any way any right which the Town may have by virtue of paragraphs 5, 6, 12, 16, 20, 25, 27 and 30 herein.

27. Any notice required to be given herein shall be sufficiently given if delivered to the Clerk of the Town either personally or sent by prepaid registered mail addressed to the Clerk of the Town in care of the Municipal Offices, Ajax, Ontario, and, if delivered personally, to or sent by prepaid registered mail addressed to the Secretary of the Licensee, 49 Jackes Avenue, Toronto, Ontario, or delivered personally to any other officer of the Licensee, and such notice shall be deemed to have been received on the date it was so delivered or mailed.

28. In this agreement,

(a) "Approval of the Town" shall mean approval of the Council of the Town in the form of a resolution of said Council;

(b) "Approved by the Town" shall mean approval of the Council of the Town in the form of a resolution of said Council;

- (c) "Appurtenances" shall mean any and all accessories used by the Licensee in the supply of steam, excepting thereout any steam heating plants and all lines of pipes, and without limiting the generality of the foregoing, shall include manholes, tunnels, concrete structures, expansion joints, loops, safety valves, stop valves, automatic stop and check valves, flow-down valves, reducing valves, meters, all pipe fittings, and insulating materials and enclosures;
- (d) "Capital improvements" shall mean costs chargeable to capital account in accordance with generally accepted accounting principles;
- (e) "Consumer" shall mean any person who uses, or intends to use, or will use, steam supplied by the Licensee;
- (f) "Construct" shall include repair, install, excavate and back-fill;
- (g) "Construction" shall include repair, installation, excavation and back-filling;
- (h) "Council" shall mean the Municipal Council of the Town of Ajax;
- (i) "Heating steam" shall mean steam other than processing steam;
- (j) "Install" shall mean construct;
- (k) "Municipal services" shall include all lines of pipes and/or appurtenances and wire thereto of any steam, telephone, gas or electric utility and all water pipes, storm sewers and sanitary sewers of the Town;
- (l) "Person" shall mean any person, firm or corporation;
- (m) "Plan" shall include profiles and specifications;
- (n) "Processing steam" shall mean steam used directly in the manufacture or assembling of anything capable of being manufactured or assembled;
- (o) "Steam distribution system" means the central steam heating plant or plants, and lines of pipe and appurtenances thereto and generally all lands, premises, equipment and fuels of the Licensee used in the supply of steam;
- (p) "Street" shall include all highways, lanes, alleys, squares, crescents, avenues, drives and roads within the corporate limits of the Town;
- (q) "Town" shall mean The Corporation of the Town of Ajax;
- (r) "Town Engineer" shall mean the person appointed by the Town from time to time as Town Engineer;
- (s) "Without right of appeal" means that the decisions, orders and rulings of the Town Engineer and/or the board of arbitration and/or the Ontario Municipal Board, as the case may be, shall be final and shall not be questioned, reviewed or restrained by injunction, prohibition, mandamus or other process or proceedings in any court of law, or be removed by certiorari or otherwise into any court of law, and shall also include the issue whether or not any dispute is a matter of arbitration.

29. This agreement shall come into force and effect upon receiving the authority and confirmation of an Act of the Ontario Legislature empowering the parties to carry out and perform the same. In the event of such Legislation not being obtained, this agreement shall be null and void.

30. This agreement shall enure to and be binding upon the parties hereto, their successors and assigns.

31. Time shall be of the essence of this agreement.

32. (a) It is understood and agreed that each of the parties hereto will support an application for a Special Act to approve and validate this agreement.

(b) The Licensee shall pay all reasonable costs, charges, fees and expenses of the Town and of its solicitor of, and incidental to, the preparation and execution of this agreement, the preparation and passing of the By-law of the Town relating to this agreement, and the application to the Ontario Legislature for passage of the Private Bill herein recited, said payment by the Licensee to the Town to be made within thirty (30) days of the date of the passing of the said Private Bill. In the event that said Bill is not passed, then the Licensee shall pay all costs, charges, fees and expenses within thirty (30) days of receipt by it of the account for same.

(c) It is understood and agreed by and between the parties hereto that the Licensee may include within the application for a Special Act, a clause or clauses requesting that the Licensee be granted the powers of expropriation conferred on a municipal corporation by Parts I and II of *The Public Utilities Act*, R.S.O. 1950, chapter 320, provided that the powers of expropriation conferred shall be exercised only and in accordance with *The Railways Act*, R.S.O. 1950, chapter 331, and it is expressly acknowledged by the Licensee that such request is being made solely for the purposes of the Licensee and that the Town will not be asked to support the request for such powers.

IN WITNESS WHEREOF the "Licensee" of the First Part hereto has hereunto set its Corporate Seal at the City of Toronto, this First day of February, A.D. 1960.

INDUSTRIAL STEAM LIMITED:

W. M. DOYLE,
Secretary.

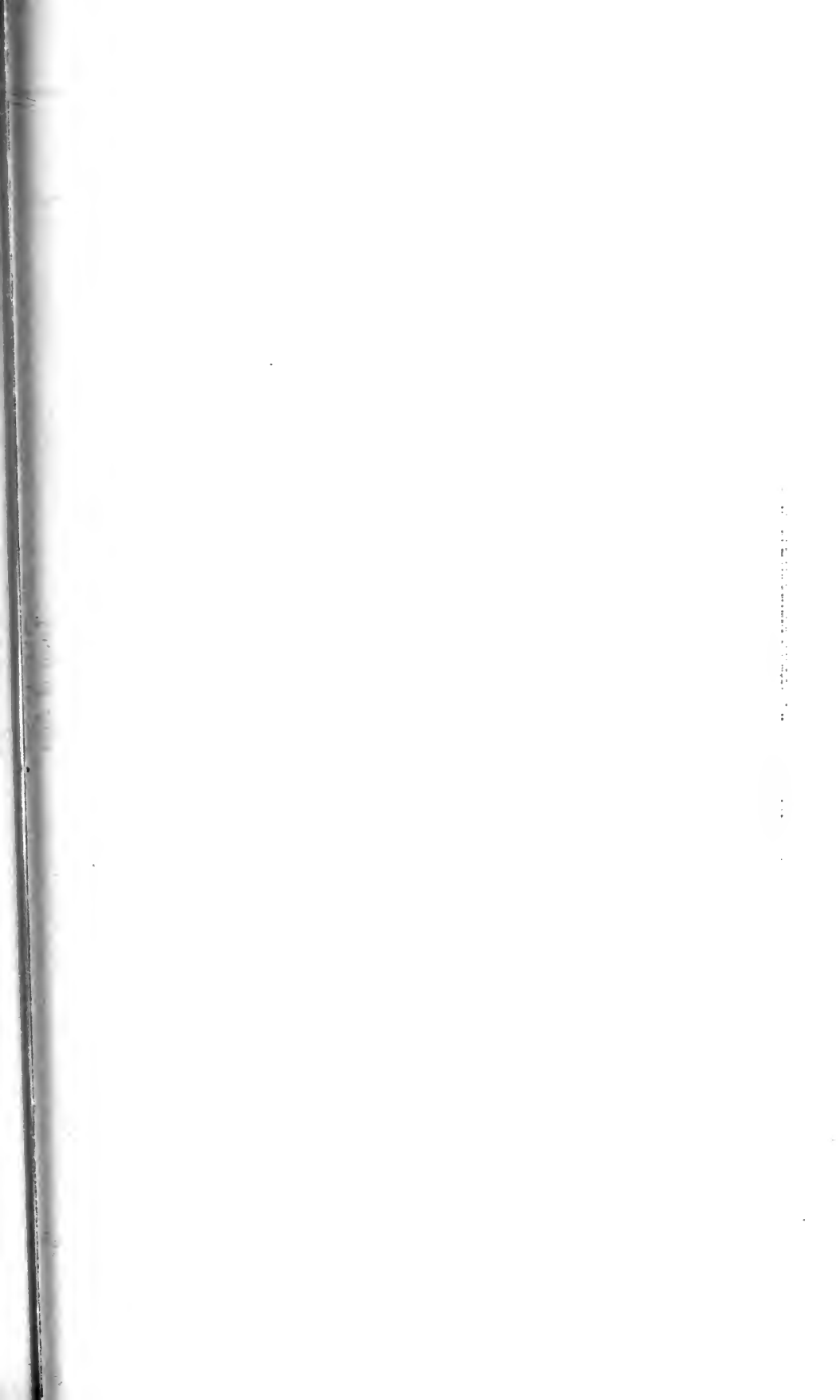
LOUIS CHARLES,
Vice-President.

IN WITNESS WHEREOF the "Town" of the Second Part hereto has hereunto set its Corporate Seal at the Town of Ajax this First day of February, A.D. 1960.

THE CORPORATION OF THE TOWN OF AJAX:

W. A. PARISH,
Mayor.

B. C. FALBY,
Clerk.



An Act respecting the
Town of Ajax

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. THOMAS

(*Private Bill*)

BILL Pr42

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Town of Ajax

MR. THOMAS

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY



BILL Pr42

1960

An Act respecting the Town of Ajax

WHEREAS The Corporation of the Town of Ajax by Preamble
its petition has prayed for special legislation in respect
of the matters hereinafter set forth; and whereas it is expedient
to grant the prayer of the petition;


Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. By-law No. 309 of the Town of Ajax and the agreement Agreement confirmed
entered into by The Corporation of the Town of Ajax and
Industrial Steam Limited, dated the 1st day of February,
1960, set forth as the Schedule hereto, are ratified and con-
firmed and declared to be legal, valid and binding on the parties
thereto and the parties to the agreement are empowered to
carry out the terms thereof.

2. Industrial Steam Limited is hereby granted the right Powers of Industrial Steam Ltd.
to exercise its corporate powers and the powers of expropria-
tion hereinafter conferred within the Town of Ajax, and the
assent of the municipal electors of the Town of Ajax to the
exercise of such powers is hereby dispensed with.

3. Industrial Steam Limited may, with the approval of the Expropria-
tion powers
council of the Town of Ajax expressed by by-law, appropriate
land within the Town of Ajax that may be required for its
work, or any extension thereof, and the powers of expropria-
tion hereby conferred shall be exercised under and in accord-
ance with *The Railways Act*.

R.S.O. 1950,
c. 331

 4.—(1) Paragraph 1 of the agreement, as set forth in the Agreement amended
Schedule hereto, is amended by striking out “as if these
presents had not been executed; provided, however, that the
exercise of such option shall not affect or interfere with the
existence of any rights or obligations which have arisen by
virtue of this agreement up to the date said agreement is

rendered null and void aforesaid or anything done or omitted to be done pursuant to such rights or obligations" in the twelfth, thirteenth, fourteenth, fifteenth, sixteenth and seventeenth lines.

Idem (2) Clause *b* of paragraph 21 of the said agreement is amended by striking out "provided, however, that nothing in paragraph 21 (*b*) shall affect the right of the Town to grant renewals as provided in paragraph 21 (*a*)" in the twenty-second and twenty-third lines.

Idem (3) Paragraph 23 of the said agreement is struck out.

Renewal of agreement **5.** Nothing in the said agreement authorizes The Corporation of the Town of Ajax to renew the agreement without the assent of the municipal electors in accordance with *The Municipal Franchises Act*.
R.S.O. 1950, c. 249

Jurisdiction of Municipal Board **6.** The Ontario Municipal Board shall have jurisdiction and power to act in accordance with the terms of the said agreement.

Insurance **7.** Industrial Steam Limited shall at all times during the continuance of the said agreement or any renewal or extension thereof maintain insurance in such amount as may from time to time be required by resolution of the council of the Town of Ajax against any liability that Industrial Steam Limited may incur for any loss, injury or damage to any person or property caused by the construction, relocation, maintenance or operation of its steam distribution system.

Ontario Fuel Board **8.** The references to the Ontario Municipal Board in paragraph 10 of the said agreement shall be deemed to be a reference to the Ontario Fuel Board.

Commencement **9.** This Act comes into force on the day it receives Royal Assent.

Short title **10.** This Act may be cited as *The Town of Ajax Act, 1960*.

SCHEDULE

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW No. 309

A BY-LAW authorizing the execution of an Agreement between The Corporation of the Town of Ajax and Industrial Steam Limited.

THE COUNCIL of The Corporation of the Town of Ajax enacts as follows:

1. The Agreement dated the First day of February, A.D. 1960, between Industrial Steam Limited of the first part and The Corporation of the Town of Ajax of the second part, a copy whereof is set out in Schedule "A" to this By-law, is hereby adopted, approved, ratified and confirmed.

2. The Mayor and Clerk are hereby authorized and directed to execute the said Agreement on behalf of the said Corporation and to affix the corporate seal thereto.

READ a first time this First day of February, 1960.

READ a second time this First day of February, 1960.

READ a third time and finally passed this First day of February, 1960.

W. A. PARISH,
Mayor.

B. C. FALBY,
Clerk.

Schedule "A" to By-law No. 309

THIS AGREEMENT made in triplicate this First day of February, A.D. 1960.

BETWEEN:

INDUSTRIAL STEAM LIMITED,
(hereinafter called the "Licensee"),

OF THE FIRST PART,

—and—

THE CORPORATION OF THE TOWN OF AJAX,
(hereinafter called the "Town"),

OF THE SECOND PART.

WHEREAS the Licensee has applied to the Town for a licence to operate and maintain a steam distribution system situate within the corporate limits of the Town;

AND WHEREAS it has been deemed advisable to grant such a licence to the Licensee subject to the terms, conditions and provisos hereinafter contained, it being agreed between the parties hereto that the fulfilment of said terms, conditions and provisos is a condition precedent to the granting of this franchise by the Town to the Licensee, and upon the non-fulfilment of any term, condition or provision hereinafter set out, then it is agreed that this agreement, at the option of the Town, shall be null and void, as if the same had never been executed, as hereinafter provided;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements, the parties hereto mutually covenant and agree the one with the other as follows:

1. The Town hereby grants permission to the Licensee to operate, maintain, alter, extend and construct a central steam heating plant and underground steam distribution system, subject to the provisions of paragraphs 2 and 3 hereof, within the corporate limits of the Town, subject to the fulfilment by the Licensee of the terms, conditions and provisions hereinafter contained, which terms, conditions and provisions and the fulfilment thereof are conditions precedent to the exercise, enjoyment and existence of the rights, powers and privileges hereby granted by the Town to the Licensee. It is hereby agreed between the parties hereto that the non-fulfilment of any term, condition or provision by the Licensee shall, subject to the provisions of paragraph 22 hereof, render this agreement, at the option of the Town, null and void as if these presents had not been executed; provided, however, that the exercise of such option shall not affect or interfere with the existence of any rights or obligations which have arisen by virtue of this agreement up to the date said agreement is rendered null and void aforesaid or anything done or omitted to be done pursuant to such rights or obligations.

2. Notwithstanding paragraph 1 hereof and subject to paragraph 3 hereof, the Licensee is hereby granted permission to lay, construct, extend, replace, operate and use lines of pipes and appurtenances thereto under all streets and public places for the purpose of distribution of steam for heat and processing; provided, however, appurtenances may extend up to grade level or, with the consent of the Town Engineer, above grade level.

3. Notwithstanding paragraph 1 hereof, the Licensee is hereby granted permission to operate and use lines of pipes and appurtenances thereto which at the date of this agreement are not installed underground; provided, however, that the Licensee shall on or before the 30th day of April, 1965, remove or install underground all lines of pipes and appurtenances thereto situate upon streets and public places which at the date of this agreement are not installed underground; provided further that all lines of pipes and appurtenances thereto which at the date of this agreement are not installed underground shall be removed or installed

underground before any renewal or extension of this agreement becomes effective; provided further that the steam line presently unused and running from the point of disconnection from the live lines at or near Monarch Avenue between Hunt Street and Bayly Street, thence easterly towards Harwood Avenue to a point approximately 700' from Harwood Avenue, thence southerly and more or less parallel to Harwood Avenue to a point near the north limit of Third Street, shall be dismantled and removed on or before the First day of September, 1960; provided further that all lines of pipes and appurtenances thereto which may be constructed from and after the date of this agreement shall be installed underground, save and except appurtenances only which may extend up to grade level, or, with the consent of the Town Engineer, above grade level; provided further that lines of pipes and appurtenances thereto may be installed at or above grade level within ten (10) feet of any building of a consumer; provided further that lines of pipes and appurtenances thereto situate within wholly enclosed buildings or situate within 100' of the main walls of the existing steam plant building may be installed up to or above grade level. It is hereby agreed between the parties that should the Licensee make default of any of the provisions of this paragraph, such default shall not be capable of remedy as set out in paragraph 22 of this agreement; provided, however, that the Licensee shall be absolved from its obligations as set out in this paragraph, when and to the extent that the Licensee is delayed, hindered or prevented by any cause (except financial) beyond the reasonable control of the Licensee including fire, explosions, strikes, walkouts and inability to obtain labour and material.

4. (a) Except in the case of existing lines of pipe and appurtenances, the Licensee shall use lines of pipe and appurtenances thereto which at the date of installation comply with the standards as laid down in the American Standard Code for pressure piping A.S.A. B 31.1, 1955, as the same may be amended from time to time and such lines of pipe and appurtenances shall be approved by the Town Engineer before the same are put into operation by the Licensee.

(b) The maximum pressure which shall be applied to any pipe or appurtenance thereto shall not exceed the capacity for which the same were designed in accordance with the standards hereinbefore referred to; provided, however, this clause shall not apply to any tests carried out under the supervision of any regulating authority or of the Town Engineer.

5. (a) The Town Engineer shall furnish to the Licensee from time to time such plans as the Town Engineer may have in his possession as to the location of municipal services for the purpose of enabling the Licensee to construct lines of pipes and appurtenances; provided, however, that the Town shall not be responsible or liable for any damage or loss which may occur by reason of the reliance of the Licensee upon the accuracy of such plans. The Licensee, in consideration of the Town executing these presents, hereby undertakes to hold harmless and agrees to indemnify the Town from any liability incurred by the Town by reason of the furnishing of such plans by the Town Engineer.

(b) The Licensee, before constructing or attempting to construct any pipes and/or appurtenances thereto on or under any streets or public places, shall make application to the Town Engineer in a form approved by the Town, for a permit to carry out said construction. The application shall be accompanied by a plan or plans showing the plan and profile of the proposed lines of pipe and/or appurtenances together with a plan of the location of all other municipal services on the street and/or public place insofar as such information is available named in the said application. No such construction shall be commenced by the Licensee until a permit has been issued by the Town Engineer in regard to said construction. Construction authorized by the issuance of a permit must be commenced within six (6) months of the date of the permit, otherwise the permit shall be null and void and the Licensee shall make another application for a permit in regard to said construction not so commenced. Following commencement of construction the Licensee shall proceed to complete the construction in as expeditious a manner as possible having regard to the circumstances.

(c) The Town Engineer shall have a reasonable time within which to consider any application made pursuant to the provisions of paragraph 5 (b) hereof and to issue or refuse to issue a permit therefor. If the Town Engineer refuses a permit he shall state his reasons for so doing and the Licensee shall have the right to dispute the sufficiency of such reasons.

(d) The Licensee shall notify in writing the Town Engineer at least ninety-six (96) hours prior to the breaking up or interfering with any street or public place by the Licensee for any of the purposes authorized by this agreement. No more than five hundred (500) feet of any one street or public place shall be broken up at any one time by the Licensee, unless the permission in writing of the Town Engineer has been granted.

(e) The Licensee shall, prior to commencement of construction of any lines of pipe and appurtenances on any property, other than a street or public place, ascertain from the Town Engineer the location of any municipal services therein and shall ensure that such construction does not interfere with any municipal services the existence of which shall have been notified to the Licensee by the Town Engineer. The Licensee shall deposit with the Town Engineer at least forty-eight (48) hours before construction on property other than streets and public places, plans and specifications which will show, inter alia, the location of lines of pipes and appurtenances thereto to be constructed and specifications of lines of pipes and appurtenances thereto to be constructed in a form satisfactory to the Town Engineer.

(f) The Licensee shall file with the Town Engineer within thirty (30) days of the completion of the construction, final plans showing the exact location of any pipes and/or appurtenances. All construction for which a permit has been issued shall be constructed in conformity with and agree with the plan or plans thereof submitted to the Town Engineer with the application for the said permit.

6. The Licensee, on or before the execution of this agreement, shall deposit with the Treasurer of the Town a letter of credit from any Chartered Bank in Canada in the sum of \$2,000.00 in Canadian currency and approved by the Town to serve as a continuing guarantee that within a reasonable time the Licensee shall restore the streets and public places, and the sub-soil and the surface thereof, to a condition equally as good as before being disturbed by the Licensee, and if the Licensee shall fail, refuse or neglect so to restore within a reasonable time after notice in writing by the Town, then the Town may restore as aforesaid, and the cost thereof shall be payable by the Licensee to the Town and the Town may draw on such letter of credit to the extent of such cost, and the Licensee shall forthwith furnish a further letter of credit approved by the Town in an amount equal to that drawn by the Town; provided, however, that the Town shall not be deemed to be the agent or contractor of the Licensee, and provided further that the said restoration by the Town shall be without prejudice to any other rights of the Town under this agreement. Such restoration shall be done to the satisfaction of and shall be subject to the inspection and approval of the Town Engineer.

7. The Licensee shall not tap or connect with any storm sewer in a street or public place occupied by any pipe and/or appurtenance thereto owned by the Licensee, and the trenches in which same are laid, until the Licensee shall obtain the written consent of the Town Engineer. The said tapping and connecting shall be done to the satisfaction of and shall be subject to the inspection and approval of the Town Engineer. The Town Engineer shall consent or refuse to consent to such tapping or connection within a reasonable time and shall specify his reasons for any refusal to consent and the Licensee shall have the right to dispute the sufficiency of such reasons.

8. The Licensee shall provide steam for heating and processing as in this agreement set out, continuously and without interruption; provided, however, that in the case of pipes supplying steam for the purposes of heating only, the Licensee shall supply steam continuously and without interruption from the 15th day of September in each year to the following 15th day of June, save and except steam used for heating water.

9. Where the Licensee has a sufficient supply of steam the Licensee shall supply all premises within the corporate limits of the Town situate upon lands lying along the line of its pipes upon the request of the owner, occupant or other person in charge of any such premises.

10. (a) The Licensee shall, if required in writing by the Town, as expeditiously as possible prepare a tariff of maximum rates to be charged by the Licensee for the supply of steam and the manner in which the said rates shall be paid by the consumer, which tariff before becoming operative shall be approved by the Ontario Municipal Board or its successor. Nothing herein contained shall affect any contract for the supply of steam now in effect or hereafter entered into by the Licensee prior to the approval of the said tariff as herein provided for. No rate or charge for the supply of steam shall be imposed by the Licensee upon a consumer in excess of the tariff of maximum rates aforesaid. The Licensee shall have the right from time to time to amend the said tariff provided that no such amendment shall come into effect until approved by the Ontario Municipal Board at a public hearing.

(b) The Licensee shall deliver, forthwith upon demand, to any person a copy of its tariff of rates for the time being in effect, without charge.

11. (a) The Licensee shall store any fuel used in connection with any steam heating plant in an area to be wholly enclosed by a fence of a height not less than six (6) feet.

(b) The Licensee shall not operate the steam distribution system in a manner so as to create a nuisance.

(c) In this section,

(i) "Dust" means gas-borne and air-borne particles larger than 10 microns in mean diameter;

(ii) "Fly-ash" means fine solid particles, consisting mostly of incom-bustible material, that are entrained in and carried by the gaseous products of combustion;

(iii) "Fumes" means gases or vapours that are of such character as to create an unclean, destructive, offensive or unhealthful condition;

(iv) "Ringelmann Smoke Chart" means the Ringelmann smoke chart published by the United States Bureau of Mines or facsimile when the same is used in accordance with the instructions published by the said Bureau;

(v) "Smoke" means small gas-borne particles consisting essentially of carbonaceous material in sufficient number to be observable;

(vi) "Soot" means agglomerated particles consisting essentially of carbonaceous material.

(d) The Licensee shall not discharge or permit to be discharged or emit or permit to be emitted to the atmosphere, smoke, dust, fly-ash, soot, fumes, or other solids or gaseous products of combustion, the shade or appearance of which is equal to or greater than No. three Ringelmann Smoke Chart or so dense that it cannot be seen through at the point of emission or discharge, for a period of or periods aggregating six (6) minutes in any one hour, or the shade or appearance of which is equal to or greater than No. two Ringelmann Smoke Chart, or so dense as to be dimly seen through at the point of emission or discharge, for a period of or periods aggregating ten (10) minutes or more in any one hour.

12. The Licensee shall grant access to the Town, its officers, servants, employees and agents and the Town Engineer at all reasonable times to enter into and upon the property, buildings, plant, pipes and appurtenances thereto for the purpose of inspection; provided that the Licensee shall not be responsible for any injury to or death of any person to whom access is granted unless the same is caused by the negligence of the Licensee, its servants or agents or by any breach of this agreement by the Licensee.

13. The Licensee shall use a uniform method of keeping accounts, records and books, which shall contain all details of the finances and business of the Licensee relating to the steam system.

14. The Council of the Town may determine by resolution the amount of the fee or fees to be paid to the Town for any permit or permits in this agreement set out, and may alter by resolution from time to time the amount of said fee or fees; provided, however, that the fee or fees shall not be greater than those imposed on other public utilities for like purposes having regard to the services or work to be performed by the Town in connection with such permit.

15. The Licensee shall be subject to, and liable for payment of, all municipal taxes, rates, charges and assessments of any kind whatsoever, levied, imposed, rated and struck by the Council of the Town, the Hydro Commission of the Town, and any other body or authority so authorized, from time to time.

16. The Council of the Town by resolution from time to time may order the relocation of lines of pipes and appurtenances thereto on any street or public place. The Licensee shall furnish to the Town all relevant information it may have in its possession relevant to such relocation. Relocation shall be planned so as not to deprive any consumer of supply except during construction. The Licensee, within a reasonable time, having regard to the circumstances, after the receipt by it of plans and profiles from the Town Engineer setting out details of said relocation, shall commence the construction of said relocation and shall carry out same continuously in as expeditious a manner as possible having regard to the circumstances. Save as in this section set out, the provisions of this agreement applying to construction shall apply to said relocation. The costs of any relocation requested by the Town aforesaid, shall be paid by the Town; provided, however, the Town shall not be liable in any way for any loss or damage which may be caused by reason of any relocation save and except the actual costs of construction in regard to said relocation, and save and except where such loss or damage necessarily results from the Licensee's compliance with the order of the Town or any directions of the Town Engineer and it is expressly understood and agreed that the Town shall not be liable for any steam loss (including line loss) or any loss or damage resulting from the omission or negligence of the Licensee, its contractors, servants or agents.

17. Nothing in this agreement set out shall interfere in any way with any right or privilege in the Town, or the jurisdiction of the Town, which it had, prior to the execution of these presents, in any street or public place, nor shall it interfere with in any way any right, privilege or jurisdiction which the Town may have in any street or public place by virtue of future statutory enactment or judicial decision; provided, however, that nothing contained in this paragraph 17 shall affect any right or privilege granted or any liability assumed by the Licensee hereunder.

18. This agreement shall not interfere with in any way the right or privilege of any other person, who now has, or may hereafter have, to take up or otherwise use any street or public place.

19. The Licensee, notwithstanding this agreement, shall be subject to all laws, rules, regulations and by-laws of all Legislative or municipal authorities or bodies as if this agreement had never been executed; provided, however, that the assent of electors of the Town to this franchise need not be required and further provided that nothing contained in this paragraph 19 shall affect any right or privilege granted to or any liability assumed by the Licensee hereunder.

20. (a) The Licensee shall at all times wholly indemnify and save harmless the Town from and against all loss, damage, injury and expense which the Town might sustain or be liable for by reason of any damage or injury to any person or property caused by the construction, relocation, maintenance and operation by the Licensee of the steam distribution system save and except any express obligations assumed by the Town hereunder.

(b) The Licensee, on or before the execution of these presents, shall deposit with the Clerk of the Town an insurance policy in form and with insurers approved by the Town in the sum of \$200,000.00 insuring the Licensee and the Town against all claims and actions referred to in this paragraph and the Licensee will indemnify and reimburse the Town of all costs and expenses incurred by the Town in connection with said claims and actions and shall furnish a further policy approved by the Town for the same sum at any time during the life of this agreement if and when the Town deems such further policy necessary for the protection of the Town as required by a resolution of the Council of the Town; provided, however, that the Licensee may replace the said policy with another policy in a form approved by the Town and this right shall continue from time to time.

21. (a) The term of this agreement shall be for a period of twenty (20) years from its effective date as determined by the Act of the Ontario Legislature approving and ratifying this agreement; provided, however, that in the event the Licensee makes default in any of the provisions of this agreement prior to said date, then this agreement shall, subject to the provisions of paragraph 22 hereof, be terminated as of the date of said default at the option of the Town. In the event that the Licensee wishes to renew this agreement, the Licensee shall notify the Town in writing prior to the termination date of this agreement or the termination date of any renewal of this agreement, that the Licensee desires a renewal thereof for a further period of time. The Town may, but shall not be obligated to, renew by By-law this agreement from time to time for periods of time not exceeding twenty (20) years at any one time; provided, however, that "renew" shall also include renewal of this agreement as it may be amended.

(b) Provided, however, from and after the fifth anniversary of this agreement, in the event that the Licensee shall desire to expend such an amount of monies in regard to capital improvement relating to the steam distribution system that the Licensee desires an extension of time of this agreement to recover the amount of said payment through ordinary business operations, the Licensee may apply to the Ontario Municipal Board for an Order extending this agreement for any period of time up to but not exceeding twenty (20) years from the date of the Order of the Ontario Municipal Board authorizing such extension; provided, however, that the Ontario Municipal Board shall not make such Order until the Licensee has satisfied the Board at a public hearing in regard to this matter that the circumstance in which the capital improvement expenditure is proposed to be made warrants such an extension of this agreement as a public convenience and necessity; and provided further that should the Licensee fail to commence construction in regard to the capital improvement expenditure which is the subject matter of the application to the Ontario Municipal Board within six (6) months of the date of the Order of said Board extending this agreement, then said Order shall be deemed to be null and void; and provided further that in any event no Order or Orders of the Ontario Municipal Board extending this agreement shall so extend this agreement beyond the 31st day of December, 1990; provided, however, that nothing in paragraph 21 (b) shall affect the right of the Town to grant renewals as provided in paragraph 21 (a).

(c) The Licensee may at any time terminate this agreement by giving to the Town two (2) years written notice of its intention so to do.

22. Notwithstanding anything herein contained, the Licensee shall not be in default of any of the provisions of this agreement unless the Town shall have given the Licensee written notice of any event of default and the Licensee shall have failed to remedy such event of default as expeditiously as possible having regard to the circumstances after receiving such notice. Non-performance by virtue of any cause (except financial) beyond the reasonable control of the Licensee including fire, explosions, strikes, walkouts and inability to obtain labour and material shall not be deemed as a default so long as such cause exists. The Town may appeal to the board of arbitration as hereinafter set out should it be of the opinion that the Licensee is not remedying any default as expeditiously as possible having regard to the circumstances after having

received said notice and in the event that the board of arbitration finds that the Licensee is not remedying as aforesaid then the said board shall so order and the Licensee shall not be entitled to remedy such a default as herein set out.

23. This agreement may be amended from time to time by an amending agreement executed by the parties hereto and approved by By-law of the Council of the Town.

24. The Licensee shall forthwith commence the operation of the steam system upon the date that this agreement becomes effective as provided in paragraph 21 (a) herein.

25. (a) The decision of the Town Engineer in regard to any matter set out in paragraphs 4, 6, 11 (a), (c) and (d) and 16 shall be final and binding upon the parties herein without right of appeal. Either party to this agreement, in regard to a dispute arising out of any matter herein, save and except in paragraphs 4, 6, 11 (a), (c) and (d) and 16, may appeal to a board of arbitration as hereinafter constituted. There may be an appeal from the decision of a board of arbitration to the Ontario Municipal Board which shall have jurisdiction to hear and determine such appeals and such determination shall be final and binding upon the parties herein without right of appeal.

(b) In any dispute or complaint which may be appealed to a board of arbitration in this agreement, the party herein wishing to take the dispute or complaint before the board of arbitration shall notify the other party herein in writing of its intention so to do, and which notice in writing shall set out the complaint or dispute, and unless such dispute or complaint is amicably settled within a period of time to be stated in such notice the dispute shall be referred to arbitration. Within forty-eight (48) hours after the expiry of such period of time each party shall appoint one arbitrator and the two arbitrators so appointed, within forty-eight (48) hours of the time of last appointment of the first two arbitrators, shall appoint a third arbitrator and the three arbitrators shall constitute the board of arbitration. Should either party fail to appoint an arbitrator within the time mentioned, then the arbitrator named by the other party shall constitute the board of arbitration. Should the third arbitrator be not appointed by the first two arbitrators within the time set out herein, then the party herein seeking arbitration shall apply within seven (7) days of said non-appointment to a Judge of the County Court of the County of Ontario from time to time, for the appointment by said Judge of said third arbitrator. The board of arbitration shall forthwith hold a hearing regarding the dispute or complaint and shall notify the parties herein in writing of the decision of the board of arbitration in regard to said hearing as soon as reasonably possible following the termination of the hearing. The majority decision of the board of arbitration shall be final and binding upon the parties herein without right of appeal, save as herein set out.

(c) Where at a hearing of the board of arbitration of which due notice has been given, no proceedings are taken in consequence of the absence of any party, or of a postponement at the request of any party, the board of arbitration shall make up an account of the costs of the hearing, including the proper charges for its own attendance and that of any witnesses and of the counsel or the solicitor of the party present and not desiring the postponement and unless in the special circumstances of the case the board of arbitration thinks that it would be unjust so to do, the board of arbitration shall charge the amount thereof or of the disbursements against the party in default or at whose request the postponement is made and the last mentioned party shall pay the same to the other party whatever may be the decision of the board of arbitration after completing the hearing, and the board of arbitration shall, in its decision, make any direction necessary for that purpose, and the amount so charged may be set off against and deducted from any amount awarded in his favour.

(d) If any arbitrator or the third arbitrator refuses to act or is incapable of acting or dies, the party or the arbitrators or Judge by whom he was appointed, may appoint an arbitrator or a third arbitrator as

the case may be in his stead and this power may be exercised from time to time as vacancies occur.

(e) The parties to the hearing shall submit to be examined by the board of arbitration on oath, anything relating to the matters in dispute and shall produce before the board of arbitration books, deeds, papers, accounts, writings, documents and things within their possession or power respectively, which may be required or called for and do all other things which during the hearing the board of arbitration may require.

(f) The witnesses at the hearing shall be examined on oath.

(g) The costs of the hearing shall be in the discretion of the board of arbitration, who may direct to and by whom and in what manner the costs of any part thereof shall be paid. The fees chargeable by the board of arbitration shall be in accordance with the tariff in Schedule B of *The Arbitration Act*, R.S.O. 1950, chapter 20 and as it may be amended from time to time.

(h) No party may appeal a dispute or complaint to the board of arbitration until all costs in previous arbitration proceedings as set out in the decision of the board of arbitration have been paid by the said party.

(i) Either party to an arbitration before a board of arbitrators shall be entitled to appeal the decision of the board to the Ontario Municipal Board by written notice to the other given within fourteen (14) days of the date of the decision of the board of arbitrators and the Ontario Municipal Board shall have like powers and jurisdiction in regard to the hearing of said appeal as have been conferred by this agreement upon the board of arbitration herein.

(j) In the event that a complaint or dispute is appealed as in this section set out, during the period of time of appeal, should any construction interfere in any way with the use of public streets and property, the Licensee shall immediately upon receipt of written notice from the Town Engineer that such use is being interfered with, forthwith carry out such construction as may be necessary in order that normal use of public streets may be made during the period of time of appeal.

(k) Save as herein set out, the said Arbitration Act shall not apply herein, save and except sections 1 (a), (b) and (c), 9 (a) and (c), 14, 19, 25 and 28 thereof where same are not inconsistent with the terms of this agreement.

26. Notwithstanding termination of this agreement in any manner, it shall be deemed to be in full force and effect for the purpose only of completing any matter which at the date of said termination has not been completed, nor shall any such termination interfere with in any way any right which the Town may have by virtue of paragraphs 5, 6, 12, 16, 20, 25, 27 and 30 herein.

27. Any notice required to be given herein shall be sufficiently given if delivered to the Clerk of the Town either personally or sent by prepaid registered mail addressed to the Clerk of the Town in care of the Municipal Offices, Ajax, Ontario, and, if delivered personally, to or sent by prepaid registered mail addressed to the Secretary of the Licensee, 49 Jackes Avenue, Toronto, Ontario, or delivered personally to any other officer of the Licensee, and such notice shall be deemed to have been received on the date it was so delivered or mailed.

28. In this agreement,

(a) "Approval of the Town" shall mean approval of the Council of the Town in the form of a resolution of said Council;

(b) "Approved by the Town" shall mean approval of the Council of the Town in the form of a resolution of said Council;

- (c) "Appurtenances" shall mean any and all accessories used by the Licensee in the supply of steam, excepting therout any steam heating plants and all lines of pipes, and without limiting the generality of the foregoing, shall include manholes, tunnels, concrete structures, expansion joints, loops, safety valves, stop valves, automatic stop and check valves, flow-down valves, reducing valves, meters, all pipe fittings, and insulating materials and enclosures;
- (d) "Capital improvements" shall mean costs chargeable to capital account in accordance with generally accepted accounting principles;
- (e) "Consumer" shall mean any person who uses, or intends to use, or will use, steam supplied by the Licensee;
- (f) "Construct" shall include repair, install, excavate and back-fill;
- (g) "Construction" shall include repair, installation, excavation and back-filling;
- (h) "Council" shall mean the Municipal Council of the Town of Ajax;
- (i) "Heating steam" shall mean steam other than processing steam;
- (j) "Install" shall mean construct;
- (k) "Municipal services" shall include all lines of pipes and/or appurtenances and wire thereto of any steam, telephone, gas or electric utility and all water pipes, storm sewers and sanitary sewers of the Town;
- (l) "Person" shall mean any person, firm or corporation;
- (m) "Plan" shall include profiles and specifications;
- (n) "Processing steam" shall mean steam used directly in the manufacture or assembling of anything capable of being manufactured or assembled;
- (o) "Steam distribution system" means the central steam heating plant or plants, and lines of pipe and appurtenances thereto and generally all lands, premises, equipment and fuels of the Licensee used in the supply of steam;
- (p) "Street" shall include all highways, lanes, alleys, squares, crescents, avenues, drives and roads within the corporate limits of the Town;
- (q) "Town" shall mean The Corporation of the Town of Ajax;
- (r) "Town Engineer" shall mean the person appointed by the Town from time to time as Town Engineer;
- (s) "Without right of appeal" means that the decisions, orders and rulings of the Town Engineer and/or the board of arbitration and/or the Ontario Municipal Board, as the case may be, shall be final and shall not be questioned, reviewed or restrained by injunction, prohibition, mandamus or other process or proceedings in any court of law, or be removed by certiorari or otherwise into any court of law, and shall also include the issue whether or not any dispute is a matter of arbitration.

29. This agreement shall come into force and effect upon receiving the authority and confirmation of an Act of the Ontario Legislature empowering the parties to carry out and perform the same. In the event of such Legislation not being obtained, this agreement shall be null and void.

30. This agreement shall enure to and be binding upon the parties hereto, their successors and assigns.

31. Time shall be of the essence of this agreement.

32. (a) It is understood and agreed that each of the parties hereto will support an application for a Special Act to approve and validate this agreement.

(b) The Licensee shall pay all reasonable costs, charges, fees and expenses of the Town and of its solicitor of, and incidental to, the preparation and execution of this agreement, the preparation and passing of the By-law of the Town relating to this agreement, and the application to the Ontario Legislature for passage of the Private Bill herein recited, said payment by the Licensee to the Town to be made within thirty (30) days of the date of the passing of the said Private Bill. In the event that said Bill is not passed, then the Licensee shall pay all costs, charges, fees and expenses within thirty (30) days of receipt by it of the account for same.

(c) It is understood and agreed by and between the parties hereto that the Licensee may include within the application for a Special Act, a clause or clauses requesting that the Licensee be granted the powers of expropriation conferred on a municipal corporation by Parts I and II of *The Public Utilities Act*, R.S.O. 1950, chapter 320, provided that the powers of expropriation conferred shall be exercised only and in accordance with *The Railways Act*, R.S.O. 1950, chapter 331, and it is expressly acknowledged by the Licensee that such request is being made solely for the purposes of the Licensee and that the Town will not be asked to support the request for such powers.

IN WITNESS WHEREOF the "Licensee" of the First Part hereto has hereunto set its Corporate Seal at the City of Toronto, this First day of February, A.D. 1960.

INDUSTRIAL STEAM LIMITED:

W. M. DOYLE,
Secretary.

LOUIS CHARLES,
Vice-President.

IN WITNESS WHEREOF the "Town" of the Second Part hereto has hereunto set its Corporate Seal at the Town of Ajax this First day of February, A.D. 1960.

THE CORPORATION OF THE TOWN OF AJAX:

W. A. PARISH,
Mayor.

B. C. FALBY,
Clerk.

An Act respecting the
Town of Ajax

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. THOMAS

(Reprinted as amended by the
Committee on Private Bills)

BILL Pr42

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Town of Ajax

MR. THOMAS

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr42

1960

An Act respecting the Town of Ajax

WHEREAS The Corporation of the Town of Ajax by ^{Preamble} its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 309 of the Town of Ajax and the agreement ^{Agreement confirmed} entered into by The Corporation of the Town of Ajax and Industrial Steam Limited, dated the 1st day of February, 1960, set forth as the Schedule hereto, are ratified and confirmed and declared to be legal, valid and binding on the parties thereto and the parties to the agreement are empowered to carry out the terms thereof.

2. Industrial Steam Limited is hereby granted the right ^{Powers of Industrial Steam Ltd.} to exercise its corporate powers and the powers of expropriation hereinafter conferred within the Town of Ajax, and the assent of the municipal electors of the Town of Ajax to the exercise of such powers is hereby dispensed with.

3. Industrial Steam Limited may, with the approval of the council of the Town of Ajax expressed by by-law, expropriate land within the Town of Ajax that may be required for its work, or any extension thereof, and the powers of expropriation hereby conferred shall be exercised under and in accordance with *The Railways Act*. ^{Expropriation powers}

R.S.O. 1950,
c. 331

4.—(1) Paragraph 1 of the agreement, as set forth in the Schedule hereto, is amended by striking out "as if these presents had not been executed; provided, however, that the exercise of such option shall not affect or interfere with the existence of any rights or obligations which have arisen by virtue of this agreement up to the date said agreement is ^{Agreement amended}

rendered null and void aforesaid or anything done or omitted to be done pursuant to such rights or obligations" in the twelfth, thirteenth, fourteenth, fifteenth, sixteenth and seventeenth lines.

Idem (2) Clause *b* of paragraph 21 of the said agreement is amended by striking out "provided, however, that nothing in paragraph 21 (*b*) shall affect the right of the Town to grant renewals as provided in paragraph 21 (*a*)" in the twenty-second and twenty-third lines.

Idem (3) Paragraph 23 of the said agreement is struck out.

Renewal of agreement **5.** Nothing in the said agreement authorizes The Corporation of the Town of Ajax to renew the agreement without the assent of the municipal electors in accordance with *The Municipal Franchises Act*.
R.S.O. 1950, c. 249

Jurisdiction of Municipal Board **6.** The Ontario Municipal Board shall have jurisdiction and power to act in accordance with the terms of the said agreement.

Insurance **7.** Industrial Steam Limited shall at all times during the continuance of the said agreement or any renewal or extension thereof maintain insurance in such amount as may from time to time be required by resolution of the council of the Town of Ajax against any liability that Industrial Steam Limited may incur for any loss, injury or damage to any person or property caused by the construction, relocation, maintenance or operation of its steam distribution system.

Ontario Fuel Board **8.** The references to the Ontario Municipal Board in paragraph 10 of the said agreement shall be deemed to be a reference to the Ontario Fuel Board.

Commencement **9.** This Act comes into force on the day it receives Royal Assent.

Short title **10.** This Act may be cited as *The Town of Ajax Act, 1960*.

SCHEDULE

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW No. 309

A BY-LAW authorizing the execution of an Agreement between The Corporation of the Town of Ajax and Industrial Steam Limited.

THE COUNCIL of The Corporation of the Town of Ajax enacts as follows:

1. The Agreement dated the First day of February, A.D. 1960, between Industrial Steam Limited of the first part and The Corporation of the Town of Ajax of the second part, a copy whereof is set out in Schedule "A" to this By-law, is hereby adopted, approved, ratified and confirmed.

2. The Mayor and Clerk are hereby authorized and directed to execute the said Agreement on behalf of the said Corporation and to affix the corporate seal thereto.

READ a first time this First day of February, 1960.

READ a second time this First day of February, 1960.

READ a third time and finally passed this First day of February, 1960.

W. A. PARISH,
Mayor.

B. C. FALBY,
Clerk.

Schedule "A" to By-law No. 309

THIS AGREEMENT made in triplicate this First day of February, A.D. 1960.

BETWEEN:

INDUSTRIAL STEAM LIMITED,
(hereinafter called the "Licensee"),

OF THE FIRST PART,

—and—

THE CORPORATION OF THE TOWN OF AJAX,
(hereinafter called the "Town"),

OF THE SECOND PART.

WHEREAS the Licensee has applied to the Town for a licence to operate and maintain a steam distribution system situate within the corporate limits of the Town;

AND WHEREAS it has been deemed advisable to grant such a licence to the Licensee subject to the terms, conditions and provisos hereinafter contained, it being agreed between the parties hereto that the fulfilment of said terms, conditions and provisos is a condition precedent to the granting of this franchise by the Town to the Licensee, and upon the non-fulfilment of any term, condition or provision hereinafter set out, then it is agreed that this agreement, at the option of the Town, shall be null and void, as if the same had never been executed, as hereinafter provided;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements, the parties hereto mutually covenant and agree the one with the other as follows:

1. The Town hereby grants permission to the Licensee to operate, maintain, alter, extend and construct a central steam heating plant and underground steam distribution system, subject to the provisions of paragraphs 2 and 3 hereof, within the corporate limits of the Town, subject to the fulfilment by the Licensee of the terms, conditions and provisions hereinafter contained, which terms, conditions and provisions and the fulfilment thereof are conditions precedent to the exercise, enjoyment and existence of the rights, powers and privileges hereby granted by the Town to the Licensee. It is hereby agreed between the parties hereto that the non-fulfilment of any term, condition or provision by the Licensee shall, subject to the provisions of paragraph 22 hereof, render this agreement, at the option of the Town, null and void as if these presents had not been executed; provided, however, that the exercise of such option shall not affect or interfere with the existence of any rights or obligations which have arisen by virtue of this agreement up to the date said agreement is rendered null and void aforesaid or anything done or omitted to be done pursuant to such rights or obligations.

2. Notwithstanding paragraph 1 hereof and subject to paragraph 3 hereof, the Licensee is hereby granted permission to lay, construct, extend, replace, operate and use lines of pipes and appurtenances thereto under all streets and public places for the purpose of distribution of steam for heat and processing; provided, however, appurtenances may extend up to grade level or, with the consent of the Town Engineer, above grade level.

3. Notwithstanding paragraph 1 hereof, the Licensee is hereby granted permission to operate and use lines of pipes and appurtenances thereto which at the date of this agreement are not installed underground; provided, however, that the Licensee shall on or before the 30th day of April, 1965, remove or install underground all lines of pipes and appurtenances thereto situate upon streets and public places which at the date of this agreement are not installed underground; provided further that all lines of pipes and appurtenances thereto which at the date of this agreement are not installed underground shall be removed or installed

underground before any renewal or extension of this agreement becomes effective; provided further that the steam line presently unused and running from the point of disconnection from the live lines at or near Monarch Avenue between Hunt Street and Bayly Street, thence easterly towards Harwood Avenue to a point approximately 700' from Harwood Avenue, thence southerly and more or less parallel to Harwood Avenue to a point near the north limit of Third Street, shall be dismantled and removed on or before the First day of September, 1960; provided further that all lines of pipes and appurtenances thereto which may be constructed from and after the date of this agreement shall be installed underground, save and except appurtenances only which may extend up to grade level, or, with the consent of the Town Engineer, above grade level; provided further that lines of pipes and appurtenances thereto may be installed at or above grade level within ten (10) feet of any building of a consumer; provided further that lines of pipes and appurtenances thereto situate within wholly enclosed buildings or situate within 100' of the main walls of the existing steam plant building may be installed up to or above grade level. It is hereby agreed between the parties that should the Licensee make default of any of the provisions of this paragraph, such default shall not be capable of remedy as set out in paragraph 22 of this agreement; provided, however, that the Licensee shall be absolved from its obligations as set out in this paragraph, when and to the extent that the Licensee is delayed, hindered or prevented by any cause (except financial) beyond the reasonable control of the Licensee including fire, explosions, strikes, walkouts and inability to obtain labour and material.

4. (a) Except in the case of existing lines of pipe and appurtenances, the Licensee shall use lines of pipe and appurtenances thereto which at the date of installation comply with the standards as laid down in the American Standard Code for pressure piping A.S.A. B 31.1, 1955, as the same may be amended from time to time and such lines of pipe and appurtenances shall be approved by the Town Engineer before the same are put into operation by the Licensee.

(b) The maximum pressure which shall be applied to any pipe or appurtenance thereto shall not exceed the capacity for which the same were designed in accordance with the standards hereinbefore referred to; provided, however, this clause shall not apply to any tests carried out under the supervision of any regulating authority or of the Town Engineer.

5. (a) The Town Engineer shall furnish to the Licensee from time to time such plans as the Town Engineer may have in his possession as to the location of municipal services for the purpose of enabling the Licensee to construct lines of pipes and appurtenances; provided, however, that the Town shall not be responsible or liable for any damage or loss which may occur by reason of the reliance of the Licensee upon the accuracy of such plans. The Licensee, in consideration of the Town executing these presents, hereby undertakes to hold harmless and agrees to indemnify the Town from any liability incurred by the Town by reason of the furnishing of such plans by the Town Engineer.

(b) The Licensee, before constructing or attempting to construct any pipes and/or appurtenances thereto on or under any streets or public places, shall make application to the Town Engineer in a form approved by the Town, for a permit to carry out said construction. The application shall be accompanied by a plan or plans showing the plan and profile of the proposed lines of pipe and/or appurtenances together with a plan of the location of all other municipal services on the street and/or public place insofar as such information is available named in the said application. No such construction shall be commenced by the Licensee until a permit has been issued by the Town Engineer in regard to said construction. Construction authorized by the issuance of a permit must be commenced within six (6) months of the date of the permit, otherwise the permit shall be null and void and the Licensee shall make another application for a permit in regard to said construction not so commenced. Following commencement of construction the Licensee shall proceed to complete the construction in as expeditious a manner as possible having regard to the circumstances.

(c) The Town Engineer shall have a reasonable time within which to consider any application made pursuant to the provisions of paragraph 5 (b) hereof and to issue or refuse to issue a permit therefor. If the Town Engineer refuses a permit he shall state his reasons for so doing and the Licensee shall have the right to dispute the sufficiency of such reasons.

(d) The Licensee shall notify in writing the Town Engineer at least ninety-six (96) hours prior to the breaking up or interfering with any street or public place by the Licensee for any of the purposes authorized by this agreement. No more than five hundred (500) feet of any one street or public place shall be broken up at any one time by the Licensee, unless the permission in writing of the Town Engineer has been granted.

(e) The Licensee shall, prior to commencement of construction of any lines of pipe and appurtenances on any property, other than a street or public place, ascertain from the Town Engineer the location of any municipal services therein and shall ensure that such construction does not interfere with any municipal services the existence of which shall have been notified to the Licensee by the Town Engineer. The Licensee shall deposit with the Town Engineer at least forty-eight (48) hours before construction on property other than streets and public places, plans and specifications which will show, inter alia, the location of lines of pipes and appurtenances thereto to be constructed and specifications of lines of pipes and appurtenances thereto to be constructed in a form satisfactory to the Town Engineer.

(f) The Licensee shall file with the Town Engineer within thirty (30) days of the completion of the construction, final plans showing the exact location of any pipes and/or appurtenances. All construction for which a permit has been issued shall be constructed in conformity with and agree with the plan or plans thereof submitted to the Town Engineer with the application for the said permit.

6. The Licensee, on or before the execution of this agreement, shall deposit with the Treasurer of the Town a letter of credit from any Chartered Bank in Canada in the sum of \$2,000.00 in Canadian currency and approved by the Town to serve as a continuing guarantee that within a reasonable time the Licensee shall restore the streets and public places, and the sub-soil and the surface thereof, to a condition equally as good as before being disturbed by the Licensee, and if the Licensee shall fail, refuse or neglect so to restore within a reasonable time after notice in writing by the Town, then the Town may restore as aforesaid, and the cost thereof shall be payable by the Licensee to the Town and the Town may draw on such letter of credit to the extent of such cost, and the Licensee shall forthwith furnish a further letter of credit approved by the Town in an amount equal to that drawn by the Town; provided, however, that the Town shall not be deemed to be the agent or contractor of the Licensee, and provided further that the said restoration by the Town shall be without prejudice to any other rights of the Town under this agreement. Such restoration shall be done to the satisfaction of and shall be subject to the inspection and approval of the Town Engineer.

7. The Licensee shall not tap or connect with any storm sewer in a street or public place occupied by any pipe and/or appurtenance thereto owned by the Licensee, and the trenches in which same are laid, until the Licensee shall obtain the written consent of the Town Engineer. The said tapping and connecting shall be done to the satisfaction of and shall be subject to the inspection and approval of the Town Engineer. The Town Engineer shall consent or refuse to consent to such tapping or connection within a reasonable time and shall specify his reasons for any refusal to consent and the Licensee shall have the right to dispute the sufficiency of such reasons.

8. The Licensee shall provide steam for heating and processing as in this agreement set out, continuously and without interruption; provided, however, that in the case of pipes supplying steam for the purposes of heating only, the Licensee shall supply steam continuously and without interruption from the 15th day of September in each year to the following 15th day of June, save and except steam used for heating water.

9. Where the Licensee has a sufficient supply of steam the Licensee shall supply all premises within the corporate limits of the Town situate upon lands lying along the line of its pipes upon the request of the owner, occupant or other person in charge of any such premises.

10. (a) The Licensee shall, if required in writing by the Town, as expeditiously as possible prepare a tariff of maximum rates to be charged by the Licensee for the supply of steam and the manner in which the said rates shall be paid by the consumer, which tariff before becoming operative shall be approved by the Ontario Municipal Board or its successor. Nothing herein contained shall affect any contract for the supply of steam now in effect or hereafter entered into by the Licensee prior to the approval of the said tariff as herein provided for. No rate or charge for the supply of steam shall be imposed by the Licensee upon a consumer in excess of the tariff of maximum rates aforesaid. The Licensee shall have the right from time to time to amend the said tariff provided that no such amendment shall come into effect until approved by the Ontario Municipal Board at a public hearing.

(b) The Licensee shall deliver, forthwith upon demand, to any person a copy of its tariff of rates for the time being in effect, without charge.

11. (a) The Licensee shall store any fuel used in connection with any steam heating plant in an area to be wholly enclosed by a fence of a height not less than six (6) feet.

(b) The Licensee shall not operate the steam distribution system in a manner so as to create a nuisance.

(c) In this section,

- (i) "Dust" means gas-borne and air-borne particles larger than 10 microns in mean diameter;
- (ii) "Fly-ash" means fine solid particles, consisting mostly of incombustible material, that are entrained in and carried by the gaseous products of combustion;
- (iii) "Fumes" means gases or vapours that are of such character as to create an unclean, destructive, offensive or unhealthful condition;
- (iv) "Ringelmann Smoke Chart" means the Ringelmann smoke chart published by the United States Bureau of Mines or facsimile when the same is used in accordance with the instructions published by the said Bureau;
- (v) "Smoke" means small gas-borne particles consisting essentially of carbonaceous material in sufficient number to be observable;
- (vi) "Soot" means agglomerated particles consisting essentially of carbonaceous material.

(d) The Licensee shall not discharge or permit to be discharged or emit or permit to be emitted to the atmosphere, smoke, dust, fly-ash, soot, fumes, or other solids or gaseous products of combustion, the shade or appearance of which is equal to or greater than No. three Ringelmann Smoke Chart or so dense that it cannot be seen through at the point of emission or discharge, for a period of or periods aggregating six (6) minutes in any one hour, or the shade or appearance of which is equal to or greater than No. two Ringelmann Smoke Chart, or so dense as to be dimly seen through at the point of emission or discharge, for a period of or periods aggregating ten (10) minutes or more in any one hour.

12. The Licensee shall grant access to the Town, its officers, servants, employees and agents and the Town Engineer at all reasonable times to enter into and upon the property, buildings, plant, pipes and appurtenances thereto for the purpose of inspection; provided that the Licensee shall not be responsible for any injury to or death of any person to whom access is granted unless the same is caused by the negligence of the Licensee, its servants or agents or by any breach of this agreement by the Licensee.

13. The Licensee shall use a uniform method of keeping accounts, records and books, which shall contain all details of the finances and business of the Licensee relating to the steam system.

14. The Council of the Town may determine by resolution the amount of the fee or fees to be paid to the Town for any permit or permits in this agreement set out, and may alter by resolution from time to time the amount of said fee or fees; provided, however, that the fee or fees shall not be greater than those imposed on other public utilities for like purposes having regard to the services or work to be performed by the Town in connection with such permit.

15. The Licensee shall be subject to, and liable for payment of, all municipal taxes, rates, charges and assessments of any kind whatsoever, levied, imposed, rated and struck by the Council of the Town, the Hydro Commission of the Town, and any other body or authority so authorized, from time to time.

16. The Council of the Town by resolution from time to time may order the relocation of lines of pipes and appurtenances thereto on any street or public place. The Licensee shall furnish to the Town all relevant information it may have in its possession relevant to such relocation. Relocation shall be planned so as not to deprive any consumer of supply except during construction. The Licensee, within a reasonable time, having regard to the circumstances, after the receipt by it of plans and profiles from the Town Engineer setting out details of said relocation, shall commence the construction of said relocation and shall carry out same continuously in as expeditious a manner as possible having regard to the circumstances. Save as in this section set out, the provisions of this agreement applying to construction shall apply to said relocation. The costs of any relocation requested by the Town aforesaid, shall be paid by the Town; provided, however, the Town shall not be liable in any way for any loss or damage which may be caused by reason of any relocation save and except the actual costs of construction in regard to said relocation, and save and except where such loss or damage necessarily results from the Licensee's compliance with the order of the Town or any directions of the Town Engineer and it is expressly understood and agreed that the Town shall not be liable for any steam loss (including line loss) or any loss or damage resulting from the omission or negligence of the Licensee, its contractors, servants or agents.

17. Nothing in this agreement set out shall interfere in any way with any right or privilege in the Town, or the jurisdiction of the Town, which it had, prior to the execution of these presents, in any street or public place, nor shall it interfere with in any way any right, privilege or jurisdiction which the Town may have in any street or public place by virtue of future statutory enactment or judicial decision; provided, however, that nothing contained in this paragraph 17 shall affect any right or privilege granted or any liability assumed by the Licensee hereunder.

18. This agreement shall not interfere with in any way the right or privilege of any other person, who now has, or may hereafter have, to take up or otherwise use any street or public place.

19. The Licensee, notwithstanding this agreement, shall be subject to all laws, rules, regulations and by-laws of all Legislative or municipal authorities or bodies as if this agreement had never been executed; provided, however, that the assent of electors of the Town to this franchise need not be required and further provided that nothing contained in this paragraph 19 shall affect any right or privilege granted to or any liability assumed by the Licensee hereunder.

20. (a) The Licensee shall at all times wholly indemnify and save harmless the Town from and against all loss, damage, injury and expense which the Town might sustain or be liable for by reason of any damage or injury to any person or property caused by the construction, relocation, maintenance and operation by the Licensee of the steam distribution system save and except any express obligations assumed by the Town hereunder.

(b) The Licensee, on or before the execution of these presents, shall deposit with the Clerk of the Town an insurance policy in form and with insurers approved by the Town in the sum of \$200,000.00 insuring the Licensee and the Town against all claims and actions referred to in this paragraph and the Licensee will indemnify and reimburse the Town of all costs and expenses incurred by the Town in connection with said claims and actions and shall furnish a further policy approved by the Town for the same sum at any time during the life of this agreement if and when the Town deems such further policy necessary for the protection of the Town as required by a resolution of the Council of the Town; provided, however, that the Licensee may replace the said policy with another policy in a form approved by the Town and this right shall continue from time to time.

21. (a) The term of this agreement shall be for a period of twenty (20) years from its effective date as determined by the Act of the Ontario Legislature approving and ratifying this agreement; provided, however, that in the event the Licensee makes default in any of the provisions of this agreement prior to said date, then this agreement shall, subject to the provisions of paragraph 22 hereof, be terminated as of the date of said default at the option of the Town. In the event that the Licensee wishes to renew this agreement, the Licensee shall notify the Town in writing prior to the termination date of this agreement or the termination date of any renewal of this agreement, that the Licensee desires a renewal thereof for a further period of time. The Town may, but shall not be obligated to, renew by By-law this agreement from time to time for periods of time not exceeding twenty (20) years at any one time; provided, however, that "renew" shall also include renewal of this agreement as it may be amended.

(b) Provided, however, from and after the fifth anniversary of this agreement, in the event that the Licensee shall desire to expend such an amount of monies in regard to capital improvement relating to the steam distribution system that the Licensee desires an extension of time of this agreement to recover the amount of said payment through ordinary business operations, the Licensee may apply to the Ontario Municipal Board for an Order extending this agreement for any period of time up to but not exceeding twenty (20) years from the date of the Order of the Ontario Municipal Board authorizing such extension; provided, however, that the Ontario Municipal Board shall not make such Order until the Licensee has satisfied the Board at a public hearing in regard to this matter that the circumstance in which the capital improvement expenditure is proposed to be made warrants such an extension of this agreement as a public convenience and necessity; and provided further that should the Licensee fail to commence construction in regard to the capital improvement expenditure which is the subject matter of the application to the Ontario Municipal Board within six (6) months of the date of the Order of said Board extending this agreement, then said Order shall be deemed to be null and void; and provided further that in any event no Order or Orders of the Ontario Municipal Board extending this agreement shall so extend this agreement beyond the 31st day of December, 1990; provided, however, that nothing in paragraph 21 (b) shall affect the right of the Town to grant renewals as provided in paragraph 21 (a).

(c) The Licensee may at any time terminate this agreement by giving to the Town two (2) years written notice of its intention so to do.

22. Notwithstanding anything herein contained, the Licensee shall not be in default of any of the provisions of this agreement unless the Town shall have given the Licensee written notice of any event of default and the Licensee shall have failed to remedy such event of default as expeditiously as possible having regard to the circumstances after receiving such notice. Non-performance by virtue of any cause (except financial) beyond the reasonable control of the Licensee including fire, explosions, strikes, walkouts and inability to obtain labour and material shall not be deemed as a default so long as such cause exists. The Town may appeal to the board of arbitration as hereinafter set out should it be of the opinion that the Licensee is not remedying any default as expeditiously as possible having regard to the circumstances after having

received said notice and in the event that the board of arbitration finds that the Licensee is not remedying as aforesaid then the said board shall so order and the Licensee shall not be entitled to remedy such a default as herein set out.

23. This agreement may be amended from time to time by an amending agreement executed by the parties hereto and approved by By-law of the Council of the Town.

24. The Licensee shall forthwith commence the operation of the steam system upon the date that this agreement becomes effective as provided in paragraph 21 (a) herein.

25. (a) The decision of the Town Engineer in regard to any matter set out in paragraphs 4, 6, 11 (a), (c) and (d) and 16 shall be final and binding upon the parties herein without right of appeal. Either party to this agreement, in regard to a dispute arising out of any matter herein, save and except in paragraphs 4, 6, 11 (a), (c) and (d) and 16, may appeal to a board of arbitration as hereinafter constituted. There may be an appeal from the decision of a board of arbitration to the Ontario Municipal Board which shall have jurisdiction to hear and determine such appeals and such determination shall be final and binding upon the parties herein without right of appeal.

(b) In any dispute or complaint which may be appealed to a board of arbitration in this agreement, the party herein wishing to take the dispute or complaint before the board of arbitration shall notify the other party herein in writing of its intention so to do, and which notice in writing shall set out the complaint or dispute, and unless such dispute or complaint is amicably settled within a period of time to be stated in such notice the dispute shall be referred to arbitration. Within forty-eight (48) hours after the expiry of such period of time each party shall appoint one arbitrator and the two arbitrators so appointed, within forty-eight (48) hours of the time of last appointment of the first two arbitrators, shall appoint a third arbitrator and the three arbitrators shall constitute the board of arbitration. Should either party fail to appoint an arbitrator within the time mentioned, then the arbitrator named by the other party shall constitute the board of arbitration. Should the third arbitrator be not appointed by the first two arbitrators within the time set out herein, then the party herein seeking arbitration shall apply within seven (7) days of said non-appointment to a Judge of the County Court of the County of Ontario from time to time, for the appointment by said Judge of said third arbitrator. The board of arbitration shall forthwith hold a hearing regarding the dispute or complaint and shall notify the parties herein in writing of the decision of the board of arbitration in regard to said hearing as soon as reasonably possible following the termination of the hearing. The majority decision of the board of arbitration shall be final and binding upon the parties herein without right of appeal, save as herein set out.

(c) Where at a hearing of the board of arbitration of which due notice has been given, no proceedings are taken in consequence of the absence of any party, or of a postponement at the request of any party, the board of arbitration shall make up an account of the costs of the hearing, including the proper charges for its own attendance and that of any witnesses and of the counsel or the solicitor of the party present and not desiring the postponement and unless in the special circumstances of the case the board of arbitration thinks that it would be unjust so to do, the board of arbitration shall charge the amount thereof or of the disbursements against the party in default or at whose request the postponement is made and the last mentioned party shall pay the same to the other party whatever may be the decision of the board of arbitration after completing the hearing, and the board of arbitration shall, in its decision, make any direction necessary for that purpose, and the amount so charged may be set off against and deducted from any amount awarded in his favour.

(d) If any arbitrator or the third arbitrator refuses to act or is incapable of acting or dies, the party or the arbitrators or Judge by whom he was appointed, may appoint an arbitrator or a third arbitrator as

the case may be in his stead and this power may be exercised from time to time as vacancies occur.

(e) The parties to the hearing shall submit to be examined by the board of arbitration on oath, anything relating to the matters in dispute and shall produce before the board of arbitration books, deeds, papers, accounts, writings, documents and things within their possession or power respectively, which may be required or called for and do all other things which during the hearing the board of arbitration may require.

(f) The witnesses at the hearing shall be examined on oath.

(g) The costs of the hearing shall be in the discretion of the board of arbitration, who may direct to and by whom and in what manner the costs of any part thereof shall be paid. The fees chargeable by the board of arbitration shall be in accordance with the tariff in Schedule B of *The Arbitration Act*, R.S.O. 1950, chapter 20 and as it may be amended from time to time.

(h) No party may appeal a dispute or complaint to the board of arbitration until all costs in previous arbitration proceedings as set out in the decision of the board of arbitration have been paid by the said party.

(i) Either party to an arbitration before a board of arbitrators shall be entitled to appeal the decision of the board to the Ontario Municipal Board by written notice to the other given within fourteen (14) days of the date of the decision of the board of arbitrators and the Ontario Municipal Board shall have like powers and jurisdiction in regard to the hearing of said appeal as have been conferred by this agreement upon the board of arbitration herein.

(j) In the event that a complaint or dispute is appealed as in this section set out, during the period of time of appeal, should any construction interfere in any way with the use of public streets and property, the Licensee shall immediately upon receipt of written notice from the Town Engineer that such use is being interfered with, forthwith carry out such construction as may be necessary in order that normal use of public streets may be made during the period of time of appeal.

(k) Save as herein set out, the said Arbitration Act shall not apply herein, save and except sections 1 (a), (b) and (c), 9 (a) and (c), 14, 19, 25 and 28 thereof where same are not inconsistent with the terms of this agreement.

26. Notwithstanding termination of this agreement in any manner, it shall be deemed to be in full force and effect for the purpose only of completing any matter which at the date of said termination has not been completed, nor shall any such termination interfere with in any way any right which the Town may have by virtue of paragraphs 5, 6, 12, 16, 20, 25, 27 and 30 herein.

27. Any notice required to be given herein shall be sufficiently given if delivered to the Clerk of the Town either personally or sent by prepaid registered mail addressed to the Clerk of the Town in care of the Municipal Offices, Ajax, Ontario, and, if delivered personally, to or sent by prepaid registered mail addressed to the Secretary of the Licensee, 49 Jackes Avenue, Toronto, Ontario, or delivered personally to any other officer of the Licensee, and such notice shall be deemed to have been received on the date it was so delivered or mailed.

28. In this agreement,

(a) "Approval of the Town" shall mean approval of the Council of the Town in the form of a resolution of said Council;

(b) "Approved by the Town" shall mean approval of the Council of the Town in the form of a resolution of said Council;

- (c) "Appurtenances" shall mean any and all accessories used by the Licensee in the supply of steam, excepting thereout any steam heating plants and all lines of pipes, and without limiting the generality of the foregoing, shall include manholes, tunnels, concrete structures, expansion joints, loops, safety valves, stop valves, automatic stop and check valves, flow-down valves, reducing valves, meters, all pipe fittings, and insulating materials and enclosures;
- (d) "Capital improvements" shall mean costs chargeable to capital account in accordance with generally accepted accounting principles;
- (e) "Consumer" shall mean any person who uses, or intends to use, or will use, steam supplied by the Licensee;
- (f) "Construct" shall include repair, install, excavate and back-fill;
- (g) "Construction" shall include repair, installation, excavation and back-filling;
- (h) "Council" shall mean the Municipal Council of the Town of Ajax;
- (i) "Heating steam" shall mean steam other than processing steam;
- (j) "Install" shall mean construct;
- (k) "Municipal services" shall include all lines of pipes and/or appurtenances and wire thereto of any steam, telephone, gas or electric utility and all water pipes, storm sewers and sanitary sewers of the Town;
- (l) "Person" shall mean any person, firm or corporation;
- (m) "Plan" shall include profiles and specifications;
- (n) "Processing steam" shall mean steam used directly in the manufacture or assembling of anything capable of being manufactured or assembled;
- (o) "Steam distribution system" means the central steam heating plant or plants, and lines of pipe and appurtenances thereto and generally all lands, premises, equipment and fuels of the Licensee used in the supply of steam;
- (p) "Street" shall include all highways, lanes, alleys, squares, crescents, avenues, drives and roads within the corporate limits of the Town;
- (q) "Town" shall mean The Corporation of the Town of Ajax;
- (r) "Town Engineer" shall mean the person appointed by the Town from time to time as Town Engineer;
- (s) "Without right of appeal" means that the decisions, orders and rulings of the Town Engineer and/or the board of arbitration and/or the Ontario Municipal Board, as the case may be, shall be final and shall not be questioned, reviewed or restrained by injunction, prohibition, mandamus or other process or proceedings in any court of law, or be removed by certiorari or otherwise into any court of law, and shall also include the issue whether or not any dispute is a matter of arbitration.

29. This agreement shall come into force and effect upon receiving the authority and confirmation of an Act of the Ontario Legislature empowering the parties to carry out and perform the same. In the event of such Legislation not being obtained, this agreement shall be null and void.

30. This agreement shall enure to and be binding upon the parties hereto, their successors and assigns.

31. Time shall be of the essence of this agreement.

32. (a) It is understood and agreed that each of the parties hereto will support an application for a Special Act to approve and validate this agreement.

(b) The Licensee shall pay all reasonable costs, charges, fees and expenses of the Town and of its solicitor of, and incidental to, the preparation and execution of this agreement, the preparation and passing of the By-law of the Town relating to this agreement, and the application to the Ontario Legislature for passage of the Private Bill herein recited, said payment by the Licensee to the Town to be made within thirty (30) days of the date of the passing of the said Private Bill. In the event that said Bill is not passed, then the Licensee shall pay all costs, charges, fees and expenses within thirty (30) days of receipt by it of the account for same.

(c) It is understood and agreed by and between the parties hereto that the Licensee may include within the application for a Special Act, a clause or clauses requesting that the Licensee be granted the powers of expropriation conferred on a municipal corporation by Parts I and II of *The Public Utilities Act*, R.S.O. 1950, chapter 320, provided that the powers of expropriation conferred shall be exercised only and in accordance with *The Railways Act*, R.S.O. 1950, chapter 331, and it is expressly acknowledged by the Licensee that such request is being made solely for the purposes of the Licensee and that the Town will not be asked to support the request for such powers.

IN WITNESS WHEREOF the "Licensee" of the First Part hereto has hereunto set its Corporate Seal at the City of Toronto, this First day of February, A.D. 1960.

INDUSTRIAL STEAM LIMITED:

W. M. DOYLE,
Secretary.

LOUIS CHARLES,
Vice-President.

IN WITNESS WHEREOF the "Town" of the Second Part hereto has hereunto set its Corporate Seal at the Town of Ajax this First day of February, A.D. 1960.

THE CORPORATION OF THE TOWN OF AJAX:

W. A. PARISH,
Mayor.

B. C. FALBY,
Clerk.

An Act respecting the
Town of Ajax

1st Reading

February 11th, 1960

2nd Reading

March 8th, 1960

3rd Reading

March 17th, 1960

MR. THOMAS

BILL Pr43

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Township of North York

MR. BECKETT

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

BILL Pr43

1960

An Act respecting the Township of North York

WHEREAS The Corporation of the Township of North York, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition: Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of subsection 1 of section 3 of *The Township of North York Act, 1953* is amended by inserting after 1953, c. 120,
s. 3, subs. 1,
cl. *a*,
amended “water works” in the fourth line “or roadway”, so that the clause, exclusive of the subclauses, shall read as follows:

- (a) “benefit” means an immediate benefit or deferred benefit accruing to land or the owners and occupants thereof from the construction of a sewer or sewer system, or sewage works, or water works, or roadway, and

.

(2) Subsection 1 of the said section 3 is amended by adding thereto the following clause: 1953, c. 120,
s. 3, subs. 1,
amended

- (ff) “roadway” means a public highway or lane and includes the surface of concrete or asphalt or gravel on the travelled portion, and curbs.

(3) Clause *m* of subsection 1 of the said section 3 is amended by inserting after “drainage” in the second line “roadway”, 1953, c. 120,
s. 3, subs. 1,
cl. *m*,
amended so that the clause shall read as follows:

- (m) “work” means a sewer, sewer system, sewage works, land drainage, roadway, water works or any part thereof, or any extension thereto, and all lands, easements and rights in connection therewith.

1953, c. 120,
s. 3, subs. 2,
amended

(4) Subsection 2 of the said section 3 is amended by inserting after "pay" in the seventh line "for the whole or" and by inserting after "where" in the first line of clause a "the whole or", so that the subsection shall read as follows:

Rates

- (2) Subject to the approval of the Ontario Municipal Board first being obtained, the council may by by-law authorize the construction of any work or the acquisition thereof, and may in the same or other by-laws provide for imposing upon the lands which, or the owners and occupants of which, derive, or will or may derive, a benefit from such work a rate or rates sufficient to pay for the whole or such portion or percentage of the capital cost thereof as the by-law may specify, and with like approval any by-law passed under this section may be amended or replaced.

- (a) No rate may be imposed under this subsection where the whole or a portion or percentage of the capital cost of a work has been or is specially assessed or assessable for the owners' share of the capital cost under *The Local Improvement Act*.

R.S.O. 1950,
c. 215,

1953, c. 120,
s. 3, subs. 6,
amended

(5) Subsection 6 of the said section 3 is amended by inserting after "for" in the ninth line "the whole or", so that the subsection, exclusive of the clauses, shall read as follows:

Rate for
existing
work

- (6) Where there is land in the Township which has not or the owners or occupants of which have not been and are not assessable or taxed with respect to an existing work and a work forming part of the existing work is to be constructed by means of which a benefit from the existing work accrues to or may or will accrue to such land or the owners or occupants of such land, the council may by by-law, passed with the approval of the Ontario Municipal Board, provide for imposing upon such lands a rate sufficient to pay for the whole or such portion or percentage of the capital cost of the existing work as the by-law may specify, and the provisions of this section shall apply to a by-law passed under this subsection and with like approval any by-law passed under this subsection may be amended or replaced.

By-law to
control
rodents
authorized

2.—(1) The council of the Corporation may pass by-laws for requiring the owners and occupants of lands, buildings and structures to maintain such lands, buildings and structures

in a rodent-free condition, and for that purpose the by-law may provide,

(a) for regulating,

- (i) the keeping or storing of food or fodder,
- (ii) the keeping of fowl or animals, and
- (iii) the keeping and disposal of refuse, wastes and other things,

that may attract rodents;

(b) for authorizing the local board of health to order the owners or occupants of any premises,

- (i) to clean or disinfect the same,
- (ii) to keep food, fodder or refuse in rodent-free containers,
- (iii) to keep fowl or animals only in rodent-free structures, and
- (iv) to do such other things as may be deemed necessary by the board,

to avoid the spread of disease or damage to property by rodents;

(c) for authorizing the local board of health to prohibit the use of premises that are infested with rodents until the owner or occupant of such premises complies with an order of the board for disinfestation of such premises.

(2) The medical officer of health, any member of the local board of health and any inspector or other municipal employee acting under the instructions of the medical officer of health may enter, inspect and examine, as often as may be necessary, any lands, buildings or structures within the municipality for the purpose of enforcing the provisions of a by-law passed under this section and for the purpose of ascertaining whether the owner or occupant has complied with any order made pursuant to such by-law, and any person in charge of such premises for the time being shall render such aid to the medical officer of health or other person authorized by this section as may be necessary.

Power to
enforce
by-laws
R.S.O. 1950,
c. 243

(3) The provisions of Part XXI of *The Municipal Act* relating to the power to impose penalties and enforce by-laws apply *mutatis mutandis* to any by-law, and to any order made thereunder, passed under this section.

Interpre-
tation

3.—(1) In this section, "external design" includes the colour, type of construction and materials, height, bulk, massing, location, size, floor area, spacing, distance from street lines, character, scale and proportion and fenestration of buildings, structures, signs or other appendages or appurtenances and the landscaping of lands adjacent thereto.

By-laws-
re
buildings,
etc.

(2) The council of the Corporation may pass by-laws,

- (a) regulating the external design of any building, structure, sign, appendage or appurtenance in any defined area or areas or upon land abutting on or adjoining any defined highway or part of a highway; and
- (b) prohibiting the erection or alteration of any building, structure, sign, appendage or appurtenance in any defined area or areas or upon land abutting on or adjoining any defined highway or part of a highway unless a certificate of approval of the plans and specifications of the external design has first been issued by council.

Approval
of
Municipal
Board

(3) No by-law passed under subsection 2, or any by-law repealing or amending such by-law, shall come into force without the approval of the Ontario Municipal Board.

Certificate
of approval
necessary
for permit

R.S.O. 1950,
c. 243;
1955, c. 61

(4) No permit to erect any building, structure, sign, appendage or appurtenance referred to in subsection 2 shall be issued under any by-law heretofore or hereafter passed by the council of the Corporation under *The Municipal Act* or *The Planning Act, 1955* unless the applicant for such permit has first obtained a certificate of approval from the council as required by any by-law passed under this section.

By-law
enforceable

(5) Part XXI of *The Municipal Act* applies *mutatis mutandis* to by-laws passed under this section.

Appeal

(6) Where an application to the council for a certificate of approval is refused, the applicant may appeal to the Ontario Municipal Board within ten days of the date of the decision of the council or, if the council refuses or neglects to make a decision thereon within one month after the receipt by the clerk of the application, the applicant may appeal to the Ontario Municipal Board by delivering a notice of appeal to the Ontario Municipal Board and the clerk of the Corporation.

4.—(1) In this section, "connection" includes,

Interpre-
tation

- (a) a connection to the sanitary sewer and the necessary plumbing system as defined in the current regulations under *The Public Health Act* respecting plumbing and sewers; and R.S.O. 1950,
c. 306
- (b) a connection to the storm sewer and the necessary system, including roof drains, to permit storm water to flow into the storm sewer.

(2) The council of the Corporation may pass by-laws,

By-laws:

- (a) to prohibit the erection of any building or structure on lands that are serviced by a storm or sanitary sewer, or both, unless the plans and specifications submitted on application for a building permit indicate that such building or structure is to be connected to the storm or sanitary sewer, or both, if available; New
buildings
to connect
to sewers
- (b) to require the owner of any building or structure that is erected or standing upon a parcel of land that is serviced by a storm or sanitary sewer, or both, after due notice, to connect such building or structure to the storm or sanitary sewer, or both, if available, if it appears to the council of the Corporation that any such building or structure should be connected to such sewers to abate a nuisance or to prevent damage to either public or private property. Buildings
to connect
to sewers

(3) The notice referred to in clause *b* of subsection 2 shall be sent by registered mail to the owner, according to the last revised assessment roll of the Corporation, and such notice shall specify a time within which the connection or connections shall be made. Notice

(4) Where the owner of any building or structure fails to make the connection or connections required by the notice within the time set out therein, the Corporation, by its servants and agents, may enter upon the premises and take such steps as may be necessary to make such connection or connections. Right to
make
connection

(5) If the costs and expenses incurred in making any connection are not paid by the owner within one month after a demand of payment, the clerk of the Corporation shall insert the amount in the collector's roll and the same may be collected in like manner as municipal taxes. Collection
of cost

Increase in
council

5.—(1) Notwithstanding any other general or special Act, the council of the Corporation may pass by-laws providing that thereafter the council shall be composed of a reeve, and one councillor to be elected for each ward, and two councillors to be elected by general vote.

Repeal

(2) A by-law under this section shall not be repealed until two biennial elections have been held under it.

Time for
passing

(3) A by-law under this section, and a by-law repealing any such by-law, shall be passed not later in the year than the 1st day of November.

Assent of
the
electors

(4) A by-law under this section, and a by-law repealing any such by-law, does not require the assent of the electors.

Effective
date

(5) Every such by-law, including a repealing by-law, takes effect at and for the purposes of the biennial election next after its passing.

Executive
Committee

6.—(1) Where the council of the Corporation has passed a by-law under subsection 1 of section 5 and the members of council are thereafter elected in accordance with the provisions of such by-law, there shall be an Executive Committee, consisting of the reeve and the two councillors elected by general vote, and the reeve shall be chairman of the Executive Committee and entitled to vote as a member thereof.

Powers

(2) The council of the Corporation may by by-law authorize the Executive Committee to exercise with respect to the Corporation any or all of the powers of a board of control under subsection 1 of section 226 of *The Municipal Act* and, in such case, subsections 2 to 19 of that section apply *mutatis mutandis*.

R.S.O. 1950,
c. 243

Re-
muneration

(3) Each member of the Executive Committee shall, in addition to his remuneration as a member of the council of the Corporation, receive,

(a) where the population of the Township exceeds 200,000 but is less than 300,000, such remuneration not exceeding \$2,500 per year; or

(b) where the population of the Township exceeds 300,000, such remuneration not exceeding \$5,000 per year,

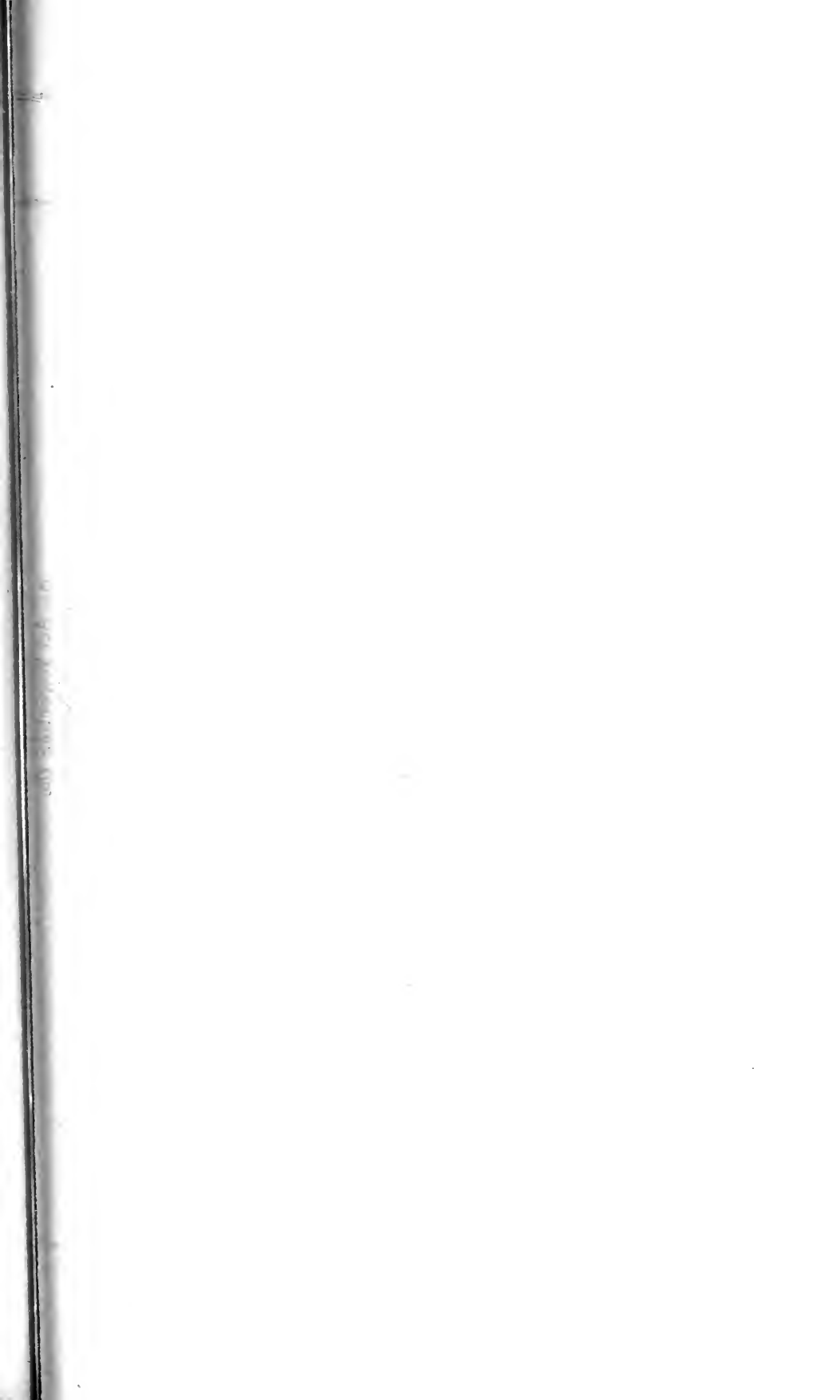
as may be authorized by by-law of the Corporation.

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. This Act may be cited as *The Township of North York Act, 1960*.



An Act respecting the
Township of North York

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. BECKETT

(*Private Bill*)

BILL Pr43

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Township of North York

MR. BECKETT

(Reprinted as amended by the Committee on Private Bills)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY



BILL Pr43

1960

An Act respecting the Township of North York

WHEREAS The Corporation of the Township of North York, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of subsection 1 of section 3 of *The Township of North York Act, 1953* is amended by inserting after "water works" in the fourth line "or roadway", so that the clause, exclusive of the subclauses, shall read as follows:

1953, c. 120,
s. 3, subs. 1,
cl. *a*,
amended

- (a) "benefit" means an immediate benefit or deferred benefit accruing to land or the owners and occupants thereof from the construction of a sewer or sewer system, or sewage works, or water works, or roadway, and

.

(2) Subsection 1 of the said section 3 is amended by adding thereto the following clause:

1953, c. 120,
s. 3, subs. 1,
amended

- (*f*) "roadway" means a public highway or lane and includes the surface of concrete or asphalt or gravel on the travelled portion, and curbs.

(3) Clause *m* of subsection 1 of the said section 3 is amended by inserting after "drainage" in the second line "roadway", so that the clause shall read as follows:

1953, c. 120,
s. 3, subs. 1,
cl. *m*,
amended

- (*m*) "work" means a sewer, sewer system, sewage works, land drainage, roadway, water works or any part thereof, or any extension thereto, and all lands, easements and rights in connection therewith.

1953, c. 120,
s. 3, subs. 2,
amended

(4) Subsection 2 of the said section 3 is amended by inserting after "pay" in the seventh line "for the whole or" and by inserting after "where" in the first line of clause a "the whole or", so that the subsection shall read as follows:

Rates

(2) Subject to the approval of the Ontario Municipal Board first being obtained, the council may by by-law authorize the construction of any work or the acquisition thereof, and may in the same or other by-laws provide for imposing upon the lands which, or the owners and occupants of which, derive, or will or may derive, a benefit from such work a rate or rates sufficient to pay for the whole or such portion or percentage of the capital cost thereof as the by-law may specify, and with like approval any by-law passed under this section may be amended or replaced.

R.S.O. 1950,
c. 215,

(a) No rate may be imposed under this subsection where the whole or a portion or percentage of the capital cost of a work has been or is specially assessed or assessable for the owners' share of the capital cost under *The Local Improvement Act*.

1953, c. 120,
s. 3, subs. 6,
amended

(5) Subsection 6 of the said section 3 is amended by inserting after "for" in the ninth line "the whole or", so that the subsection, exclusive of the clauses, shall read as follows:

Rate for
existing
work

(6) Where there is land in the Township which has not or the owners or occupants of which have not been and are not assessable or taxed with respect to an existing work and a work forming part of the existing work is to be constructed by means of which a benefit from the existing work accrues to or may or will accrue to such land or the owners or occupants of such land, the council may by by-law, passed with the approval of the Ontario Municipal Board, provide for imposing upon such lands a rate sufficient to pay for the whole or such portion or percentage of the capital cost of the existing work as the by-law may specify, and the provisions of this section shall apply to a by-law passed under this subsection and with like approval any by-law passed under this subsection may be amended or replaced.

By-law to
control
rodents
authorized

2.—(1) The council of the Corporation may pass by-laws for requiring the owners and occupants of lands, buildings and structures to maintain such lands, buildings and structures

in a rodent-free condition, and for that purpose the by-law may provide,

(a) for regulating,

- (i) the keeping or storing of food or fodder,
- (ii) the keeping of fowl or animals, and
- (iii) the keeping and disposal of refuse, wastes and other things,

that may attract rodents;

(b) for authorizing the local board of health to order the owners or occupants of any premises,

- (i) to clean or disinfect the same,
- (ii) to keep food, fodder or refuse in rodent-free containers,
- (iii) to keep fowl or animals only in rodent-free structures, and
- (iv) to do such other things as may be deemed necessary by the board,

to avoid the spread of disease or damage to property by rodents;

(c) for authorizing the local board of health to prohibit the use of premises that are infested with rodents until the owner or occupant of such premises complies with an order of the board for disinfestation of such premises.

(2) The medical officer of health, any member of the local board of health and any inspector or other municipal employee acting under the instructions of the medical officer of health may enter, inspect and examine, as often as may be necessary, any lands, buildings or structures within the municipality for the purpose of enforcing the provisions of a by-law passed under this section and for the purpose of ascertaining whether the owner or occupant has complied with any order made pursuant to such by-law, and any person in charge of such premises for the time being shall render such aid to the medical officer of health or other person authorized by this section as may be necessary.

Power to
enforce
by-laws
R.S.O. 1950,
c. 243

(3) The provisions of Part XXI of *The Municipal Act* relating to the power to impose penalties and enforce by-laws apply *mutatis mutandis* to any by-law, and to any order made thereunder, passed under this section.

Interpre-
tation

3.—(1) In this section, "connection" includes,

1957, c. 88

(a) a connection to the sanitary sewer and the necessary plumbing system as defined in the current regulations under *The Ontario Water Resources Commission Act, 1957* respecting plumbing and sewers; and

(b) a connection to the storm sewer and the necessary system, including roof drains, to permit storm water to flow into the storm sewer.

By-laws:

(2) The council of the Corporation may pass by-laws,

New
buildings
to connect
to sewers

(a) to prohibit the erection of any building or structure on lands that are serviced by a storm or sanitary sewer, or both, unless the plans and specifications submitted on application for a building permit indicate that such building or structure is to be connected to the storm or sanitary sewer, or both, if available;

Buildings
to connect
to sewers

(b) to require the owner of any building or structure that is erected or standing upon a parcel of land that is serviced by a storm sewer, after due notice, to connect such building or structure to the storm sewer, if available, if it appears to the council of the Corporation that any such building or structure should be connected to such sewer to prevent damage to either public or private property.

Notice

(3) The notice referred to in clause *b* of subsection 2 shall be sent by registered mail to the owner, according to the last revised assessment roll of the Corporation, and such notice shall specify a time within which the connection or connections shall be made.

Right to
make
connection

(4) Where the owner of any building or structure fails to make the connection or connections required by the notice within the time set out therein, the Corporation, by its servants and agents, may enter upon the premises and take such steps as may be necessary to make such connection or connections.

Collection
of cost

(5) If the costs and expenses incurred in making any connection are not paid by the owner within one month after a demand of payment, the clerk of the Corporation shall

insert the amount in the collector's roll and the same may be collected in like manner as municipal taxes; but the council may provide that the costs and expenses including interest at a rate not exceeding 6 per cent per annum on any unpaid balance may be paid in annual payments over a period not exceeding five years and such payments may be added by the clerk to the collector's roll and collected in like manner as municipal taxes.

4.—(1) Notwithstanding any other general or special Act, the council of the Corporation may pass by-laws providing that thereafter the council shall be composed of a reeve, and one councillor to be elected for each ward, and two councillors to be elected by general vote. ^{Increase in council}

(2) A by-law under this section shall not be repealed until two biennial elections have been held under it. ^{Repeal}

(3) A by-law under this section, and a by-law repealing any such by-law, shall be passed not later in the year than the 1st day of November. ^{Time for passing}

(4) A by-law under this section, and a by-law repealing any such by-law, does not require the assent of the electors. ^{Assent of the electors}

(5) Every such by-law, including a repealing by-law, takes effect at and for the purposes of the biennial election next after its passing. ^{Effective date}

5.—(1) Where the council of the Corporation has passed a by-law under subsection 1 of section 5 and the members of council are thereafter elected in accordance with the provisions of such by-law, there shall be an Executive Committee, consisting of the reeve and the two councillors elected by general vote, and the reeve shall be chairman of the Executive Committee and entitled to vote as a member thereof. ^{Executive Committee}

(2) The council of the Corporation shall by by-law authorize the Executive Committee to exercise with respect to the Corporation any or all of the powers of a board of control under subsection 1 of section 226 of *The Municipal Act* and, in such case, subsections 2 to 19 of that section apply *mutatis mutandis*. ^{R.S.O. 1950, c. 243 Powers}

(3) Each member of the Executive Committee shall, in addition to his remuneration as a member of the council of the Corporation, receive, ^{Remuneration}

- (a) where the population of the Township exceeds 200,000 but is less than 300,000, such remuneration not exceeding \$2,500 per year; or

(b) where the population of the Township exceeds 300,000, such remuneration not exceeding \$5,000 per year,

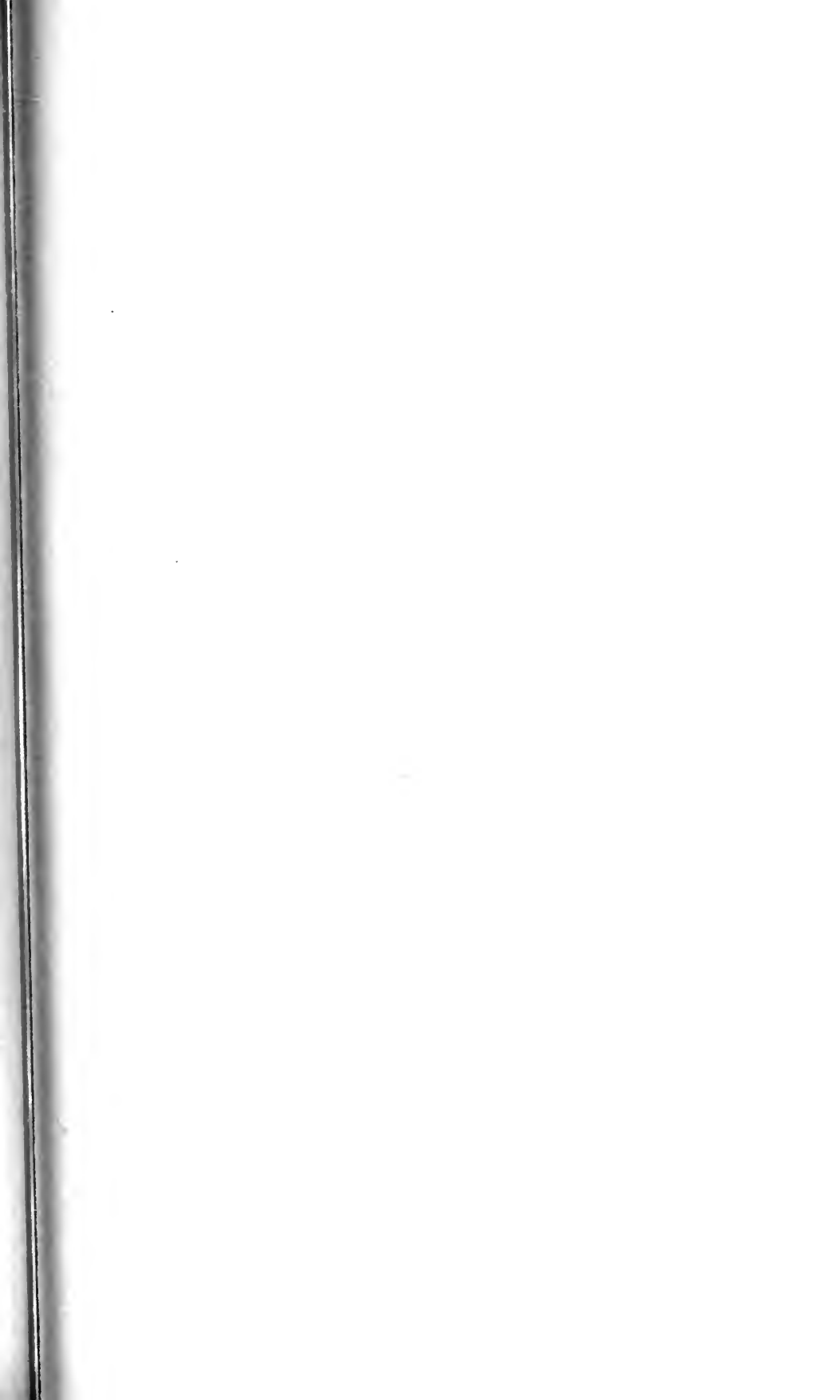
as may be authorized by by-law of the Corporation.

Commence-
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

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An Act respecting the
Township of North York

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. BECKETT

(Reprinted as amended by the
Committee on Private Bills)

BILL Pr43

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Township of North York

MR. BECKETT

(Reprinted for consideration by the Committee of the Whole House)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
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BILL Pr43

1960

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(2) Subsection 1 of the said section 3 is amended by adding 1953, c. 120,
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1953, c. 120,
s. 3, subs. 2,
amended

(4) Subsection 2 of the said section 3 is amended by inserting after "pay" in the seventh line "for the whole or" and by inserting after "where" in the first line of clause *a* "the whole or", so that the subsection shall read as follows:

Rates

- (2) Subject to the approval of the Ontario Municipal Board first being obtained, the council may by by-law authorize the construction of any work or the acquisition thereof, and may in the same or other by-laws provide for imposing upon the lands which, or the owners and occupants of which, derive, or will or may derive, a benefit from such work a rate or rates sufficient to pay for the whole or such portion or percentage of the capital cost thereof as the by-law may specify, and with like approval any by-law passed under this section may be amended or replaced.

(a) No rate may be imposed under this subsection where the whole or a portion or percentage of the capital cost of a work has been or is specially assessed or assessable for the owners' share of the capital cost under *The Local Improvement Act*.

R.S.O. 1950,
c. 215,

1953, c. 120,
s. 3, subs. 6,
amended

(5) Subsection 6 of the said section 3 is amended by inserting after "for" in the ninth line "the whole or", so that the subsection, exclusive of the clauses, shall read as follows:

Rate for
existing
work

- (6) Where there is land in the Township which has not or the owners or occupants of which have not been and are not assessable or taxed with respect to an existing work and a work forming part of the existing work is to be constructed by means of which a benefit from the existing work accrues to or may or will accrue to such land or the owners or occupants of such land, the council may by by-law, passed with the approval of the Ontario Municipal Board, provide for imposing upon such lands a rate sufficient to pay for the whole or such portion or percentage of the capital cost of the existing work as the by-law may specify, and the provisions of this section shall apply to a by-law passed under this subsection and with like approval any by-law passed under this subsection may be amended or replaced.

By-law to
control
rodents
authorized

2.—(1) The council of the Corporation may pass by-laws for requiring the owners and occupants of lands, buildings and structures to maintain such lands, buildings and structures

in a rodent-free condition, and for that purpose the by-law may provide,

(a) for regulating,

- (i) the keeping or storing of food or fodder,
- (ii) the keeping of fowl or animals, and
- (iii) the keeping and disposal of refuse, wastes and other things,

that may attract rodents;

(b) for authorizing the local board of health to order the owners or occupants of any premises,

- (i) to clean or disinfect the same,
- (ii) to keep food, fodder or refuse in rodent-free containers,
- (iii) to keep fowl or animals only in rodent-free structures, and
- (iv) to do such other things as may be deemed necessary by the board,

to avoid the spread of disease or damage to property by rodents;

(c) for authorizing the local board of health to prohibit the use of premises that are infested with rodents until the owner or occupant of such premises complies with an order of the board for disinfestation of such premises.

(2) The medical officer of health, any member of the local board of health and any inspector or other municipal employee acting under the instructions of the medical officer of health may enter, inspect and examine, as often as may be necessary, any lands, buildings or structures within the municipality for the purpose of enforcing the provisions of a by-law passed under this section and for the purpose of ascertaining whether the owner or occupant has complied with any order made pursuant to such by-law, and any person in charge of such premises for the time being shall render such aid to the medical officer of health or other person authorized by this section as may be necessary.

Power to
enforce
by-laws
R.S.O. 1950,
c. 243

(3) The provisions of Part XXI of *The Municipal Act* relating to the power to impose penalties and enforce by-laws apply *mutatis mutandis* to any by-law, and to any order made thereunder, passed under this section.

Interpre-
tation

3.—(1) In this section, "connection" includes,

1957, c. 88

(a) a connection to the sanitary sewer and the necessary plumbing system as defined in the current regulations under *The Ontario Water Resources Commission Act, 1957* respecting plumbing and sewers; and

(b) a connection to the storm sewer and the necessary system, including roof drains, to permit storm water to flow into the storm sewer.

By-laws:

(2) The council of the Corporation may pass by-laws,

New
buildings
to connect
to sewers

(a) to prohibit the erection of any building or structure on lands that are serviced by a storm or sanitary sewer, or both, unless the plans and specifications submitted on application for a building permit indicate that such building or structure is to be connected to the storm or sanitary sewer, or both, if available;

Buildings
to connect
to sewers

(b) to require the owner of any building or structure that is erected or standing upon a parcel of land that is serviced by a storm sewer, after due notice, to connect such building or structure to the storm sewer, if available, if it appears to the council of the Corporation that any such building or structure should be connected to such sewer to prevent damage to either public or private property.

Notice

(3) The notice referred to in clause *b* of subsection 2 shall be sent by registered mail to the owner, according to the last revised assessment roll of the Corporation, and such notice shall specify a time within which the connection or connections shall be made.

Right to
make
connection

(4) Where the owner of any building or structure fails to make the connection or connections required by the notice within the time set out therein, the Corporation, by its servants and agents, may enter upon the premises and take such steps as may be necessary to make such connection or connections.

Collection
of cost

(5) If the costs and expenses incurred in making any connection are not paid by the owner within one month after a demand of payment, the clerk of the Corporation shall

insert the amount in the collector's roll and the same may be collected in like manner as municipal taxes; but the council may provide that the costs and expenses including interest at a rate not exceeding 6 per cent per annum on any unpaid balance may be paid in annual payments over a period not exceeding five years and such payments may be added by the clerk to the collector's roll and collected in like manner as municipal taxes.

4. This Act comes into force on the day it receives Royal ^{Commence-} Assent._{ment}

5. This Act may be cited as *The Township of North York* ^{Short title} Act, 1960.

An Act respecting the
Township of North York

1st Reading

February 11th, 1960

2nd Reading

March 22nd, 1960

3rd Reading

MR. BECKETT

(*Reprinted for consideration by the
Committee of the Whole House*)

BILL Pr43

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Township of North York

MR. BECKETT

(Reprinted as amended by the Committee of the Whole House)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY



BILL Pr43

1960

An Act respecting the Township of North York

WHEREAS The Corporation of the Township of North York, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of subsection 1 of section 3 of *The Township of North York Act, 1953* is amended by inserting after "water works" in the fourth line "or roadway", so that the clause, exclusive of the subclauses, shall read as follows: 1953, c. 120,
s. 3 subs. 1,
cl. a, amended

- (a) "benefit" means an immediate benefit or deferred benefit accruing to land or the owners and occupants thereof from the construction of a sewer or sewer system, or sewage works, or water works, or roadway, and

.

(2) Subsection 1 of the said section 3 is amended by adding thereto the following clause: 1953, c. 120,
s. 3, subs. 1,
amended

- (ff) "roadway" means a public highway or lane and includes the surface of concrete or asphalt or gravel on the travelled portion, and curbs.

(3) Clause *m* of subsection 1 of the said section 3 is amended by inserting after "drainage" in the second line "roadway", so that the clause shall read as follows: 1953, c. 120,
s. 3, subs. 1,
cl. m, amended

- (m) "work" means a sewer, sewer system, sewage works, land drainage, roadway, water works or any part thereof, or any extension thereto, and all lands, easements and rights in connection therewith.

1953, c. 120,
s. 3, subs. 2,
amended

(4) Subsection 2 of the said section 3 is amended by inserting after "pay" in the seventh line "for the whole or" and by inserting after "where" in the first line of clause a "the whole or", so that the subsection shall read as follows:

Rates

(2) Subject to the approval of the Ontario Municipal Board first being obtained, the council may by by-law authorize the construction of any work or the acquisition thereof, and may in the same or other by-laws provide for imposing upon the lands which, or the owners and occupants of which, derive, or will or may derive, a benefit from such work a rate or rates sufficient to pay for the whole or such portion or percentage of the capital cost thereof as the by-law may specify, and with like approval any by-law passed under this section may be amended or replaced.

(a) No rate may be imposed under this subsection where the whole or a portion or percentage of the capital cost of a work has been or is specially assessed or assessable for the owners' share of the capital cost under *The Local Improvement Act*.

R.S.O. 1950,
c. 215,

1953, c. 120,
s. 3, subs. 6,
amended

(5) Subsection 6 of the said section 3 is amended by inserting after "for" in the ninth line "the whole or", so that the subsection, exclusive of the clauses, shall read as follows:

Rate for
existing
work

(6) Where there is land in the Township which has not or the owners or occupants of which have not been and are not assessable or taxed with respect to an existing work and a work forming part of the existing work is to be constructed by means of which a benefit from the existing work accrues to or may or will accrue to such land or the owners or occupants of such land, the council may by by-law, passed with the approval of the Ontario Municipal Board, provide for imposing upon such lands a rate sufficient to pay for the whole or such portion or percentage of the capital cost of the existing work as the by-law may specify, and the provisions of this section shall apply to a by-law passed under this subsection and with like approval any by-law passed under this subsection may be amended or replaced.

By-law to
control
rodents
authorized

2.—(1) The council of the Corporation may pass by-laws for requiring the owners and occupants of lands, buildings and structures to maintain such lands, buildings and structures

in a rodent-free condition, and for that purpose the by-law may provide,

(a) for regulating,

- (i) the keeping or storing of food or fodder,
- (ii) the keeping of fowl or animals, and
- (iii) the keeping and disposal of refuse, wastes and other things,

that may attract rodents;

(b) for authorizing the local board of health to order the owners or occupants of any premises,

- (i) to clean or disinfect the same,
- (ii) to keep food, fodder or refuse in rodent-free containers,
- (iii) to keep fowl or animals only in rodent-free structures, and
- (iv) to do such other things as may be deemed necessary by the board,

to avoid the spread of disease or damage to property by rodents;

(c) for authorizing the local board of health to prohibit the use of premises that are infested with rodents until the owner or occupant of such premises complies with an order of the board for disinfection of such premises.

(2) The medical officer of health, any member of the local board of health and any inspector or other municipal employee acting under the instructions of the medical officer of health may enter, inspect and examine, as often as may be necessary, any lands, buildings or structures within the municipality for the purpose of enforcing the provisions of a by-law passed under this section and for the purpose of ascertaining whether the owner or occupant has complied with any order made pursuant to such by-law, and any person in charge of such premises for the time being shall render such aid to the medical officer of health or other person authorized by this section as may be necessary.

Power to
enforce
by-laws
R.S.O. 1950,
c. 243

(3) The provisions of Part XXI of *The Municipal Act* relating to the power to impose penalties and enforce by-laws apply *mutatis mutandis* to any by-law, and to any order made thereunder, passed under this section.

Interpre-
tation

3.—(1) In this section, "connection" includes,

1957, c. 88

(a) a connection to the sanitary sewer and the necessary plumbing system as defined in the current regulations under *The Ontario Water Resources Commission Act, 1957* respecting plumbing and sewers; and

(b) a connection to the storm sewer and the necessary system, including roof drains, to permit storm water to flow into the storm sewer.

By-laws:

(2) The council of the Corporation may pass by-laws,

New
buildings
to connect
to sewers

(a) to prohibit the erection of any building or structure on lands that are serviced by a storm or sanitary sewer, or both, unless the plans and specifications submitted on application for a building permit indicate that such building or structure is to be connected to the storm or sanitary sewer, or both, if available;

Buildings
to connect
to sewers

(b) to require the owner of any building or structure that is erected or standing upon a parcel of land that is serviced by a storm sewer, after due notice, to connect such building or structure to the storm sewer, if available, if it appears to the council of the Corporation that any such building or structure should be connected to such sewer to prevent damage to either public or private property.

Notice

(3) The notice referred to in clause *b* of subsection 2 shall be sent by registered mail to the owner, according to the last revised assessment roll of the Corporation, and such notice shall specify a time within which the connection or connections shall be made.


Right to
make
connection


(4) Where the owner of any building or structure fails to make the connection or connections required by the notice within the time set out therein, the Corporation, by its servants and agents, may enter upon the premises and take such steps as may be necessary to make such connection or connections.

Collection
of cost

(5) If the costs and expenses incurred in making any connection are not paid by the owner within one month after a demand of payment, the clerk of the Corporation shall

insert the amount in the collector's roll and the same may be collected in like manner as municipal taxes; but the council may provide that the costs and expenses including interest at a rate not exceeding 6 per cent per annum on any unpaid balance may be paid in annual payments over a period not exceeding five years and such payments may be added by the clerk to the collector's roll and collected in like manner as municipal taxes.

 4. Notwithstanding subsection 4 of section 138 of *The Municipality of Metropolitan Toronto Act, 1953*, a by-law heretofore passed by the council of the Corporation under subsection 2 of that section may be repealed without the assent of the municipal electors. Repeal of
by-law re
composition
of council
1953, c. 73

5. This Act comes into force on the day it receives Royal Assent. 
Commence-
ment

6. This Act may be cited as *The Township of North York Act, 1960*. Short title

An Act respecting the
Township of North York

1st Reading

February 11th, 1960

2nd Reading

March 22nd, 1960

3rd Reading

MR. BECKETT

*(Reprinted as amended by the
Committee of the Whole House)*

BILL Pr43

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting the Township of North York

MR. BECKETT

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY



BILL Pr43

1960

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1.—(1) Clause *a* of subsection 1 of section 3 of *The Township of North York Act, 1953* is amended by inserting after "water works" in the fourth line "or roadway", so that the clause, exclusive of the subclauses, shall read as follows:

1953, c. 120,
s. 3, subs. 1,
amended

- (a) "benefit" means an immediate benefit or deferred benefit accruing to land or the owners and occupants thereof from the construction of a sewer or sewer system, or sewage works, or water works, or roadway, and

.

(2) Subsection 1 of the said section 3 is amended by adding thereto the following clause:

1953, c. 120,
s. 3, subs. 1,
amended

- (ff) "roadway" means a public highway or lane and includes the surface of concrete or asphalt or gravel on the travelled portion, and curbs.

(3) Clause *m* of subsection 1 of the said section 3 is amended by inserting after "drainage" in the second line "roadway", so that the clause shall read as follows:

1953, c. 120,
s. 3, subs. 1,
cl. m,
amended

- (m) "work" means a sewer, sewer system, sewage works, land drainage, roadway, water works or any part thereof, or any extension thereto, and all lands, easements and rights in connection therewith.

1953, c. 120,
s. 3, subs. 2,
amended

(4) Subsection 2 of the said section 3 is amended by inserting after "pay" in the seventh line "for the whole or" and by inserting after "where" in the first line of clause *a* "the whole or", so that the subsection shall read as follows:

Rates

(2) Subject to the approval of the Ontario Municipal Board first being obtained, the council may by by-law authorize the construction of any work or the acquisition thereof, and may in the same or other by-laws provide for imposing upon the lands which, or the owners and occupants of which, derive, or will or may derive, a benefit from such work a rate or rates sufficient to pay for the whole or such portion or percentage of the capital cost thereof as the by-law may specify, and with like approval any by-law passed under this section may be amended or replaced.

(a) No rate may be imposed under this subsection where the whole or a portion or percentage of the capital cost of a work has been or is specially assessed or assessable for the owners' share of the capital cost under *The Local Improvement Act*.

R.S.O. 1950,
c. 215

1953, c. 120,
s. 3, subs. 6,
amended

(5) Subsection 6 of the said section 3 is amended by inserting after "for" in the ninth line "the whole or", so that the subsection, exclusive of the clauses, shall read as follows:

Rate for
existing
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(6) Where there is land in the Township which has not or the owners or occupants of which have not been and are not assessable or taxed with respect to an existing work and a work forming part of the existing work is to be constructed by means of which a benefit from the existing work accrues to or may or will accrue to such land or the owners or occupants of such land, the council may by by-law, passed with the approval of the Ontario Municipal Board, provide for imposing upon such lands a rate sufficient to pay for the whole or such portion or percentage of the capital cost of the existing work as the by-law may specify, and the provisions of this section shall apply to a by-law passed under this subsection and with like approval any by-law passed under this subsection may be amended or replaced.

By-law to
control
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- (ii) the keeping of fowl or animals, and
- (iii) the keeping and disposal of refuse, wastes and other things,

that may attract rodents;

(b) for authorizing the local board of health to order the owners or occupants of any premises,

- (i) to clean or disinfect the same,
- (ii) to keep food, fodder or refuse in rodent-free containers,
- (iii) to keep fowl or animals only in rodent-free structures, and
- (iv) to do such other things as may be deemed necessary by the board,

to avoid the spread of disease or damage to property by rodents;

(c) for authorizing the local board of health to prohibit the use of premises that are infested with rodents until the owner or occupant of such premises complies with an order of the board for disinfection of such premises.

(2) The medical officer of health, any member of the local board of health and any inspector or other municipal employee acting under the instructions of the medical officer of health may enter, inspect and examine, as often as may be necessary, any lands, buildings or structures within the municipality for the purpose of enforcing the provisions of a by-law passed under this section and for the purpose of ascertaining whether the owner or occupant has complied with any order made pursuant to such by-law, and any person in charge of such premises for the time being shall render such aid to the medical officer of health or other person authorized by this section as may be necessary.

Power to
enforce
by-laws
R.S.O. 1950,
c. 243

(3) The provisions of Part XXI of *The Municipal Act* relating to the power to impose penalties and enforce by-laws apply *mutatis mutandis* to any by-law, and to any order made thereunder, passed under this section.

Interpre-
tation

3.—(1) In this section, "connection" includes,

1957, c. 88

(a) a connection to the sanitary sewer and the necessary plumbing system as defined in the current regulations under *The Ontario Water Resources Commission Act, 1957* respecting plumbing and sewers; and

(b) a connection to the storm sewer and the necessary system, including roof drains, to permit storm water to flow into the storm sewer.

By-laws:

(2) The council of the Corporation may pass by-laws,

New
buildings
to connect
to sewers

(a) to prohibit the erection of any building or structure on lands that are serviced by a storm or sanitary sewer, or both, unless the plans and specifications submitted on application for a building permit indicate that such building or structure is to be connected to the storm or sanitary sewer, or both, if available;

Buildings
to connect
to sewers

(b) to require the owner of any building or structure that is erected or standing upon a parcel of land that is serviced by a storm sewer, after due notice, to connect such building or structure to the storm sewer, if available, if it appears to the council of the Corporation that any such building or structure should be connected to such sewer to prevent damage to either public or private property.

Notice

(3) The notice referred to in clause *b* of subsection 2 shall be sent by registered mail to the owner, according to the last revised assessment roll of the Corporation, and such notice shall specify a time within which the connection or connections shall be made.

Right to
make
connection

(4) Where the owner of any building or structure fails to make the connection or connections required by the notice within the time set out therein, the Corporation, by its servants and agents, may enter upon the premises and take such steps as may be necessary to make such connection or connections.

Collection
of cost

(5) If the costs and expenses incurred in making any connection are not paid by the owner within one month after a demand of payment, the clerk of the Corporation shall

insert the amount in the collector's roll and the same may be collected in like manner as municipal taxes; but the council may provide that the costs and expenses including interest at a rate not exceeding 6 per cent per annum on any unpaid balance may be paid in annual payments over a period not exceeding five years and such payments may be added by the clerk to the collector's roll and collected in like manner as municipal taxes.

4. Notwithstanding subsection 4 of section 138 of *The Municipality of Metropolitan Toronto Act, 1953*, a by-law heretofore passed by the council of the Corporation under subsection 2 of that section may be repealed without the assent of the municipal electors. Repeal of
by-law re
composition
of council
1953, c. 73

5. This Act comes into force on the day it receives Royal Assent. Commence-
ment

6. This Act may be cited as *The Township of North York Act, 1960*. Short title

An Act respecting the
Township of North York

1st Reading

February 11th, 1960

2nd Reading

March 22nd, 1960

3rd Reading

April 11th, 1960

MR. BECKETT

1960

BILL Pr44

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act respecting The University of Sudbury

MR. BELISLE

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY





BILL Pr44

1960

An Act respecting The University of Sudbury

WHEREAS The University of Sudbury by its petition Preamble has represented that it was incorporated by *An Act to* 1914, c. 131 *Incorporate Sacred Heart College of Sudbury*, being chapter 131 of the Statutes of Ontario, 1914, as amended by *An Act* 1928, c. 103 *respecting Sacred Heart College of Sudbury*, being chapter 103 of the Statutes of Ontario, 1928, and *The University of Sudbury* 1957, c. 160 *Act, 1957*, and that it has conducted and maintained an institution of higher learning in the City of Sudbury for the past forty-five years; and whereas the petitioner has prayed for legislation amending *An Act to Incorporate Sacred Heart College of Sudbury* as hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 9 of *An Act to Incorporate Sacred Heart College* 1914, c. 131, of *Sudbury* is repealed and the following substituted therefor: ^{s. 9,} re-enacted

9. The Corporation, if authorized by by-law of the ^{Borrowing} Board of Directors, may, ^{powers}

- (a) borrow money on its credit in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the Board of Directors;
- (b) make, draw and endorse promissory notes or bills of exchange;
- (c) mortgage, hypothecate, pledge or charge any part or all of the property of the Corporation to secure any money so borrowed or the fulfilment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) issue bonds, debentures and obligations on such terms and conditions as the Board may

decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide, and mortgage, charge, hypothecate or pledge all or any part of the property of the Corporation to secure any such bonds, debentures and obligations.

1914, c. 131,
s. 12,
re-enacted

2. Section 12 of *An Act to Incorporate Sacred Heart College of Sudbury* is repealed and the following substituted therefor:

Property

12. The Corporation shall have, in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive by gift, bequest or devise and to hold and enjoy any estate or property, whether real or personal, whatsoever and to sell, grant, convey, mortgage, hypothecate, pledge, charge, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require and to acquire other estate or property in addition thereto or in place thereof without licence in mortmain and without limitation as to the period of holding.

R.S.O. 1950,
c. 184

Investment
of funds

13. The funds of the Corporation not immediately required for its purposes and the proceeds of all property that come into the Corporation, subject to any trusts affecting the same, may be invested and re-invested in such investments as to the Board of Directors shall seem meet, and all property and revenue of the Corporation shall be applied for the attainment of the objects for which the Corporation is constituted and to the payment of expenses to be incurred for objects legitimately connected with or depending on the purposes aforesaid.

Trust
property
vested
in
University

14. All property, real or personal, belonging to or hereafter belonging to the Corporation and all property heretofore or hereafter granted, conveyed, devised or bequeathed to any person or persons in trust for or for the benefit of the Corporation or of any faculty, school or department thereof or otherwise in connection therewith, subject to any trust or trusts affecting the same, shall be vested in the Corporation.

Members
and
officers not
individually
liable for
debts

15. Nothing herein contained shall have the effect or be construed to have the effect of rendering all or any of the members or officers of the Corporation, or any person whatsoever, individually liable or accountable for or by reason of any debt, contract or security

incurred or entered into for or by reason of the Corporation or for or on account or in respect of any matter or thing whatsoever relating to the Corporation.

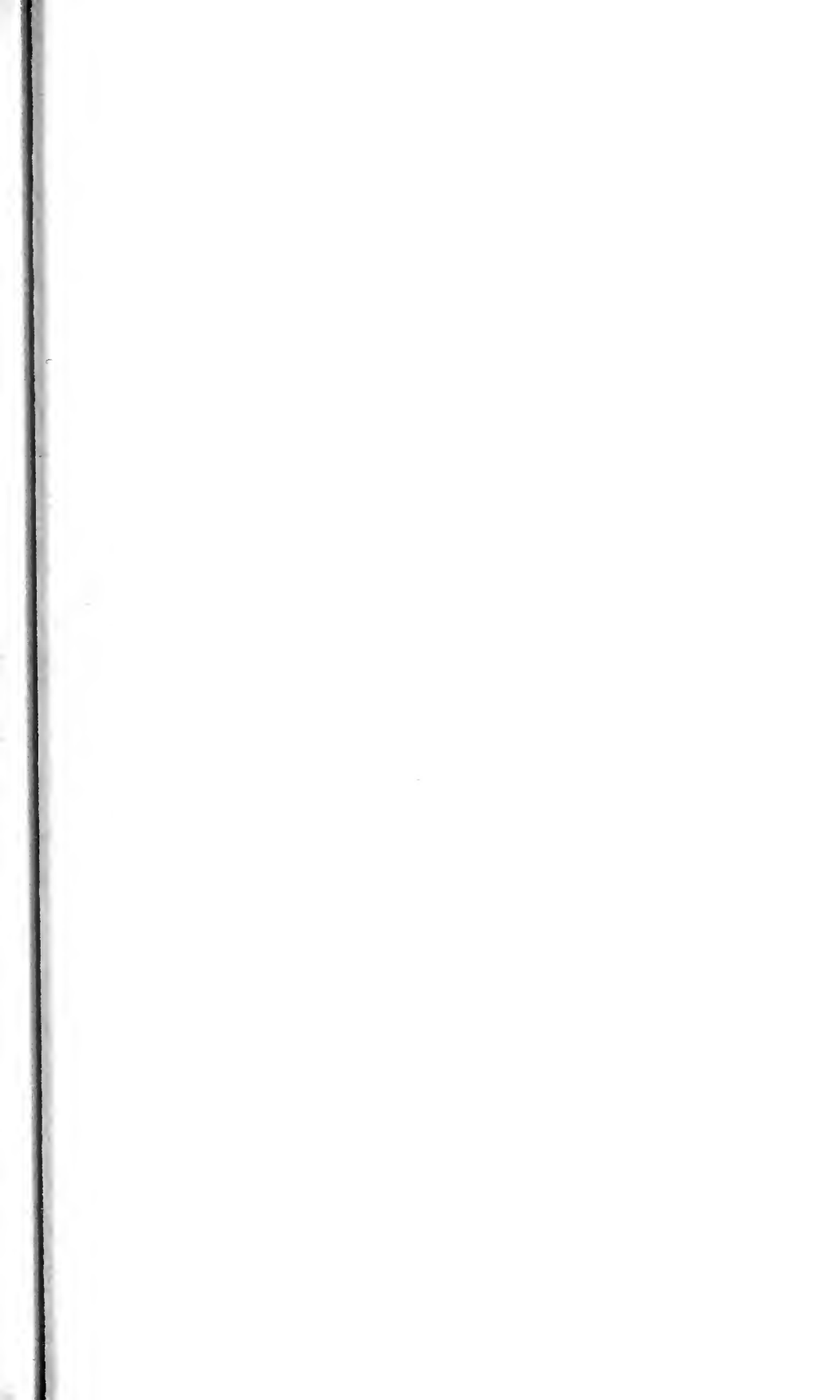
16. Real property vested in the Corporation shall not be liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto. Land vested in University not liable to expropriation

17. All property vested in the Corporation and any lands and premises leased to and occupied by the Corporation shall not be liable to taxation for provincial, municipal or school purposes and shall be exempt from every description of such taxation so long as the same are actually used and occupied for the purposes of the Corporation. Tax exemption

18. Without limiting the general powers conferred upon or vested in the Corporation, the Corporation has power, without the consent of the owner or of any person interested therein, other than a municipal corporation, to enter upon, take, use and expropriate all such real property as it deems necessary for the purposes of the Corporation, making due compensation for any such real property to the owners and occupiers thereof and all persons having any interest therein, and the provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation *mutatis mutandis* apply to the Corporation and to the exercise by it of the powers conferred by this Act, and, where any act is by such provisions required to be done by the clerk of a municipality or at the office of such clerk, the like act shall be done by or at the office of the Treasurer of the Corporation or by or at the office of such officer of the Corporation exercising the office of a treasurer, as the case may be. Expropriation powers
R.S.O. 1950, c. 243

19. All property vested in the Corporation shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public uses of Ontario. Application of statute of limitations

- Degrees 20. The Corporation shall have power and authority to grant in all branches of learning any and all university degrees and honorary degrees and diplomas.
- Proceedings
by or
against 21. All proceedings by or against the Corporation may be had and taken in the name of "The University of Sudbury".
- Commence-
ment **3.** This Act comes into force on the day it receives Royal Assent.
- Short title **4.** This Act may be cited as *The University of Sudbury Act, 1960*.



An Act respecting
The University of Sudbury

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. BELISLE

(*Private Bill*)

BILL Pr44

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act respecting The University of Sudbury

MR. BELISLE

TORONTO
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WHEREAS The University of Sudbury by its petition Preamble has represented that it was incorporated by *An Act to* 1914, c. 131 *Incorporate Sacred Heart College of Sudbury*, being chapter 131 of the Statutes of Ontario, 1914, as amended by *An Act* 1928, c. 103 *respecting Sacred Heart College of Sudbury*, being chapter 103 of the Statutes of Ontario, 1928, and *The University of Sudbury* 1957, c. 160 *Act, 1957*, and that it has conducted and maintained an institution of higher learning in the City of Sudbury for the past forty-five years; and whereas the petitioner has prayed for legislation amending *An Act to Incorporate Sacred Heart College of Sudbury* as hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 9 of *An Act to Incorporate Sacred Heart College* 1914, c. 131. *of Sudbury* is repealed and the following substituted therefor: s. 9, re-enacted

9. The Corporation, if authorized by by-law of the Borrowing powers Board of Directors, may,

- (a) borrow money on its credit in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the Board of Directors;
- (b) make, draw and endorse promissory notes or bills of exchange;
- (c) mortgage, hypothecate, pledge or charge any part or all of the property of the Corporation to secure any money so borrowed or the fulfilment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) issue bonds, debentures and obligations on such terms and conditions as the Board may

decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide, and mortgage, charge, hypothecate or pledge all or any part of the property of the Corporation to secure any such bonds, debentures and obligations.

1914, c. 131,
s. 12,
re-enacted

2. Section 12 of *An Act to Incorporate Sacred Heart College of Sudbury* is repealed and the following substituted therefor:

Property

12. The Corporation shall have, in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive by gift, bequest or devise and to hold and enjoy any estate or property, whether real or personal, whatsoever and to sell, grant, convey, mortgage, hypothecate, pledge, charge, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require and to acquire other estate or property in addition thereto or in place thereof without licence in mortmain and without limitation as to the period of holding.

R.S.O. 1950,
c. 184

Investment
of funds

13. The funds of the Corporation not immediately required for its purposes and the proceeds of all property that come into the Corporation, subject to any trusts affecting the same, may be invested and re-invested in such investments as to the Board of Directors shall seem meet, and all property and revenue of the Corporation shall be applied for the attainment of the objects for which the Corporation is constituted and to the payment of expenses to be incurred for objects legitimately connected with or depending on the purposes aforesaid.

Trust
property
vested
in
University

14. All property, real or personal, belonging to or hereafter belonging to the Corporation and all property heretofore or hereafter granted, conveyed, devised or bequeathed to any person or persons in trust for or for the benefit of the Corporation or of any faculty, school or department thereof or otherwise in connection therewith, subject to any trust or trusts affecting the same, shall be vested in the Corporation.

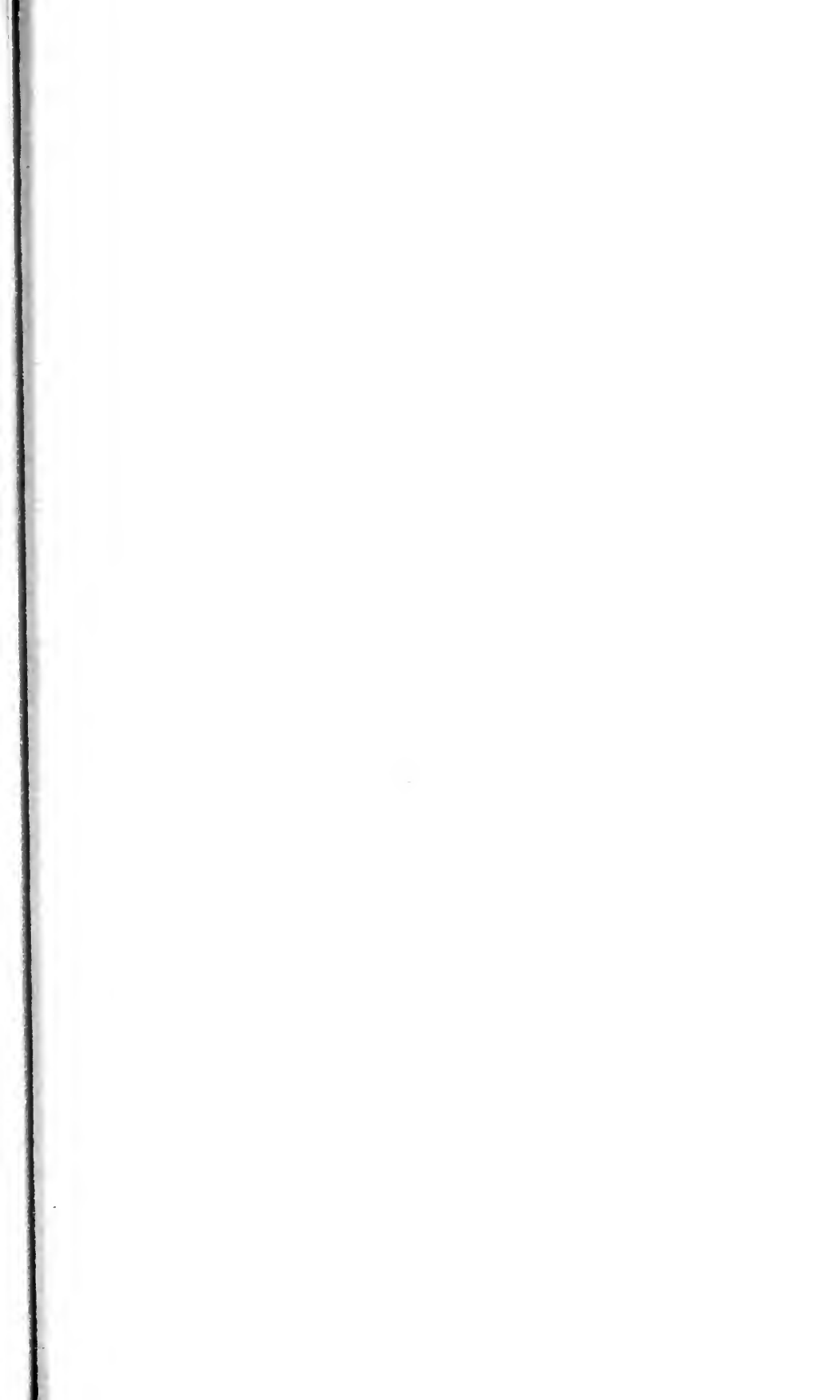
Members
and
officers not
individually
liable for
debts

15. Nothing herein contained shall have the effect or be construed to have the effect of rendering all or any of the members or officers of the Corporation, or any person whatsoever, individually liable or accountable for or by reason of any debt, contract or security

incurred or entered into for or by reason of the Corporation or for or on account or in respect of any matter or thing whatsoever relating to the Corporation.

16. Real property vested in the Corporation shall not be liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto. Land vested in University not liable to expropriation
17. All property vested in the Corporation and any lands and premises leased to and occupied by the Corporation shall not be liable to taxation for provincial, municipal or school purposes and shall be exempt from every description of such taxation so long as the same are actually used and occupied for the purposes of the Corporation. Tax exemption
18. Without limiting the general powers conferred upon or vested in the Corporation, the Corporation has power, without the consent of the owner or of any person interested therein, other than a municipal corporation, to enter upon, take, use and expropriate all such real property as it deems necessary for the purposes of the Corporation, making due compensation for any such real property to the owners and occupiers thereof and all persons having any interest therein, and the provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation *mutatis mutandis* apply to the Corporation and to the exercise by it of the powers conferred by this Act, and, where any act is by such provisions required to be done by the clerk of a municipality or at the office of such clerk, the like act shall be done by or at the office of the Treasurer of the Corporation or by or at the office of such officer of the Corporation exercising the office of a treasurer, as the case may be. Expropriation powers R.S.O. 1950, c. 243
19. All property vested in the Corporation shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public uses of Ontario. Application of statute of limitations

- | | |
|---------------------------------|---|
| Degrees | 20. The Corporation shall have power and authority to grant in all branches of learning any and all university degrees and honorary degrees and diplomas. |
| Proceedings
by or
against | 21. All proceedings by or against the Corporation may be had and taken in the name of "The University of Sudbury". |
| Commence-
ment | 3. This Act comes into force on the day it receives Royal Assent. |
| Short title | 4. This Act may be cited as <i>The University of Sudbury Act, 1960</i> . |



An Act respecting
The University of Sudbury

1st Reading

February 11th, 1960

2nd Reading

March 3rd, 1960

3rd Reading

March 8th, 1960

MR. BELISLE

BILL Pr45

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

An Act to incorporate The University of Lalemant College

MR. BELISLE

(PRIVATE BILL)

**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY**



BILL Pr45

1960

An Act to incorporate The University of Lalemant College

WHEREAS The University of Sudbury by its petition Preamble
has represented that it is desirous of establishing in the Province of Ontario, at or near the City of Sudbury, an institution to provide facilities at the university level for instruction in Catholic Theology and Philosophy, having the rights and powers of a university; and whereas the petitioner has prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means The Board of Directors of The University of Lalemant College;
- (b) "President" means the President of the University;
- (c) "property" includes all property, both real and personal;
- (d) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and, any undivided share thereof and any estate or interest therein;
- (e) "Senate" means the Senate of the University;
- (f) "teaching staff" includes professors, associate professors, assistant professors, lecturers, instructors and all others engaged in the work of teaching or giving instruction or in research;
- (g) "University" means The University of Lalemant College.

University
incorporated

2. Reverend Emile Bouvier, S.J., B.A., M.A., S.T.L., Ph.D.; Reverend Yvon Ferland, S.J., B.A., M.A., Ph.D.; Reverend Guy Fortier, S.J., B.A., M.A., Ph.D.; Reverend Amedee Dupas, S.J., B.A., M.A.; Reverend Guillaume Belcourt, S.J., B.A., M.A., Ph.D., who shall be the first directors of the University, and such other persons who may be appointed or elected President or a member of the Board or a member of the Senate or upon whom the University may confer a degree are hereby created a body corporate with perpetual succession and a common seal under the name of "The University of Lalemant College".

Objects and
purposes of
University

3. The objects and purposes of the University are,

- (a) the advancement of learning and the dissemination of knowledge;
- (b) the intellectual, moral, social, physical and spiritual development of its members and the betterment of society.

Faculties

4. The University has the power to establish and maintain such faculties, schools, institutes, departments, chairs and courses as shall be deemed meet by the Senate and approved with respect to finances and facilities by the Board.

Degrees

5. The University has power and authority to grant university degrees and honorary degrees and diplomas in the fields of Theology and Philosophy.

Powers
of
Board

6.—(1) Except as to such matters by this Act specifically assigned to the Senate, the government, conduct, management and control of the University and of its property, revenues, expenditures, business and affairs are vested in the Board under the name "The Board of Directors of The University of Lalemant College" and the Board has all powers necessary or convenient to perform its duties and achieve the objects and purposes of the University, including, without limiting the generality of the foregoing, power,

- (a) to appoint and remove the President and the Vice-President;
- (b) to fix the numbers, duties, salaries and other emoluments of the officers, agents and servants of the University;
- (c) to appoint an Executive Committee and such other committees as it deems advisable and to delegate to any such committee any of its powers;

- (d) to make by-laws and regulations, not inconsistent with the conduct of its affairs, including the fixing of a quorum, the election or appointment of its members and the filling of vacancies.

(2) By-laws do not require confirmation by the members of the corporation. Confirmation
of by-laws

(3) The Board shall consist of the following members: Constitution
of Board

- (a) the President of the University, *ex officio*; and
- (b) such number of members, not exceeding five, as may be prescribed by the by-laws of the Board, elected or appointed for a term of three years in the manner prescribed by the by-laws of the Board.

7. The Board shall elect a chairman from among its members. Chairman

8. After thirty days notice to any member, the Board may, by resolution passed by at least two-thirds of the votes cast at a meeting of the Board, declare vacant the seat of such member. Vacancies

9. There shall be a Senate of the University which shall be composed of the members of the Board. Senate

10. The Senate is responsible for the educational policy of the University and may create faculties or departments or establish chairs in any and as many of the Arts and Sciences as the Senate may determine, may create faculty councils to act as executive committees for the Senate to regulate the admission of students, courses of study and requirements for graduation, may enact by-laws regulating matters in this section referred to and may from time to time amend or replace any of its by-laws, and, without limiting the generality of the foregoing, the Senate has power, Powers of
Senate

- (a) to control and regulate the system of education of the University;
- (b) to determine the courses of study and suitable standards of admission into the University and qualifications for degrees;
- (c) to conduct examinations and appoint examiners;
- (d) to deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards;

- (e) to confer the degrees of Bachelor, Master and Doctor in the fields of Theology and Philosophy that may appropriately be conferred by a university;
- (f) to make by-laws and regulations for the conduct of its affairs, including the fixing of a quorum.

President

11.—(1) There shall be a President of the University who shall be appointed by the Board and who, unless otherwise provided, shall hold office during the pleasure of the Board.

Vice-President

(2) The Board may appoint a Vice-President who shall act in the absence of the President and shall have such other powers and duties as may be conferred on him by the Board.

Powers and duties of President

(3) The President shall be the chief executive officer of the University and, subject to the will of the Board, has supervision over and direction of the academic work and general administration of the University and the teaching staff thereof, and the officers and servants thereof, and the students thereof, and also has such other powers and duties as from time to time may be conferred upon or assigned to him by the Board.

Property

R.S.O. 1950,
c. 184

12. The University has, in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive by gift, bequest or devise and to hold and enjoy any estate or property, whether real or personal, whatsoever and to sell, grant, convey, mortgage, hypothecate, pledge, charge, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require and to acquire other estate or property in addition thereto or in place thereof without licence in mortmain and without limitation as to the period of holding.

Trust property vested in University

13. All property heretofore or hereafter granted, conveyed, devised or bequeathed to any person in trust for or for the benefit of the University, or of any faculty, school or department thereof or otherwise in connection therewith, subject to any trust or trusts affecting the same, is vested in the University.

Tax exemption

14. The property vested in the University and any lands and premises leased to and occupied by the University is not liable to taxation for provincial, municipal or school purposes and is exempt from every description of taxation so long as the same are actually used and occupied for the purposes of the University.



15. Real property vested in the University is not liable ^{Property of University not liable to be expropriated} to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose, and no power to expropriate real property hereafter conferred extends to such property unless in the Act conferring the power it is made in express terms to apply thereto.

16. All property vested in the University shall, as far as ^{Application of statute of limitations} the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public uses of Ontario.

17. The property and income, revenues, issues and profits ^{Application of property} of all property of the University shall be applied solely to achieving the objects and purposes of the University.

18. The funds of the University not immediately required ^{Investment of funds} for its purposes and the proceeds of all property that come into the University, subject to any trusts or trust affecting the same, may be invested and re-invested in such investments as the Board deems meet.

19. The University, if authorized by by-law of the Board, ^{Borrowing powers} may,

- (a) borrow money on its credit in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the Board;
- (b) make, draw and endorse promissory notes or bills of exchange;
- (c) mortgage, hypothecate, pledge or charge any part or all of the property of the University to secure any money so borrowed or the fulfilment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) issue bonds, debentures and obligations on such terms and conditions as the Board may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide and mortgage, hypothecate, pledge or charge all or any part of the property of the University to secure any such bonds, debentures and obligations.

Power of
affiliation

20. The University has power and capacity to affiliate with, or take into affiliation or federate with, other universities, colleges and institutions of learning on such terms and for such periods of time as the Board may determine.

Proceedings
by or
against

21. All proceedings by or against the University may be had and taken in the name of "The University of Lalemant College".

Commence-
ment

22. This Act comes into force on the day it receives Royal Assent.

Short title

23. This Act may be cited as *The University of Lalemant College Act, 1960*.





An Act to incorporate
The University of Lalemant College

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. BELISLE

(*Private Bill*)

BILL Pr45

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

**An Act to incorporate
The University of Lalemant College**

MR. BELISLE

**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY**



BILL Pr45

1960

An Act to incorporate The University of Lalemant College

WHEREAS The University of Sudbury by its petition Preamble
has represented that it is desirous of establishing in the Province of Ontario, at or near the City of Sudbury, an institution to provide facilities at the university level for instruction in Catholic Theology and Philosophy, having the rights and powers of a university; and whereas the petitioner has prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means The Board of Directors of The University of Lalemant College;
- (b) "President" means the President of the University;
- (c) "property" includes all property, both real and personal;
- (d) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (e) "Senate" means the Senate of the University;
- (f) "teaching staff" includes professors, associate professors, assistant professors, lecturers, instructors and all others engaged in the work of teaching or giving instruction or in research;
- (g) "University" means The University of Lalemant College.

**University
incorporated**

2. Reverend Emile Bouvier, S.J., B.A., M.A., S.T.L., Ph.D.; Reverend Yvon Ferland, S.J., B.A., M.A., Ph.D.; Reverend Guy Fortier, S.J., B.A., M.A., Ph.D.; Reverend Amedee Dupas, S.J., B.A., M.A.; Reverend Guillaume Belcourt, S.J., B.A., M.A., Ph.D., who shall be the first directors of the University, and such other persons who may be appointed or elected President or a member of the Board or a member of the Senate or upon whom the University may confer a degree are hereby created a body corporate with perpetual succession and a common seal under the name of "The University of Lalemant College".

**Objects and
purposes of
University**

3. The objects and purposes of the University are,

- (a) the advancement of learning and the dissemination of knowledge;
- (b) the intellectual, moral, social, physical and spiritual development of its members and the betterment of society.

Faculties

4. The University has the power to establish and maintain such faculties, schools, institutes, departments, chairs and courses as shall be deemed meet by the Senate and approved with respect to finances and facilities by the Board.

Degrees

5. The University has power and authority to grant university degrees and honorary degrees and diplomas in the fields of Theology and Philosophy.

**Powers
of
Board**

6.—(1) Except as to such matters by this Act specifically assigned to the Senate, the government, conduct, management and control of the University and of its property, revenues, expenditures, business and affairs are vested in the Board under the name "The Board of Directors of The University of Lalemant College" and the Board has all powers necessary or convenient to perform its duties and achieve the objects and purposes of the University, including, without limiting the generality of the foregoing, power,

- (a) to appoint and remove the President and the Vice-President;
- (b) to fix the numbers, duties, salaries and other emoluments of the officers, agents and servants of the University;
- (c) to appoint an Executive Committee and such other committees as it deems advisable and to delegate to any such committee any of its powers;

- (d) to make by-laws and regulations, not inconsistent with the conduct of its affairs, including the fixing of a quorum, the election or appointment of its members and the filling of vacancies.

(2) By-laws do not require confirmation by the members of the corporation. Confirmation of by-laws

(3) The Board shall consist of the following members: Constitution of Board

- (a) the President of the University, *ex officio*; and
- (b) such number of members, not exceeding five, as may be prescribed by the by-laws of the Board, elected or appointed for a term of three years in the manner prescribed by the by-laws of the Board.

7. The Board shall elect a chairman from among its members. Chairman

8. After thirty days notice to any member, the Board may, by resolution passed by at least two-thirds of the votes cast at a meeting of the Board, declare vacant the seat of such member. Vacancies

9. There shall be a Senate of the University which shall be composed of the members of the Board. Senate

10. The Senate is responsible for the educational policy of the University and may create faculties or departments or establish chairs in any and as many of the Arts and Sciences as the Senate may determine, may create faculty councils to act as executive committees for the Senate to regulate the admission of students, courses of study and requirements for graduation, may enact by-laws regulating matters in this section referred to and may from time to time amend or replace any of its by-laws, and, without limiting the generality of the foregoing, the Senate has power, Powers of Senate

- (a) to control and regulate the system of education of the University;
- (b) to determine the courses of study and suitable standards of admission into the University and qualifications for degrees;
- (c) to conduct examinations and appoint examiners;
- (d) to deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards;

(e) to confer the degrees of Bachelor, Master and Doctor in the fields of Theology and Philosophy that may appropriately be conferred by a university;

(f) to make by-laws and regulations for the conduct of its affairs, including the fixing of a quorum.

President

11.—(1) There shall be a President of the University who shall be appointed by the Board and who, unless otherwise provided, shall hold office during the pleasure of the Board.

Vice-President

(2) The Board may appoint a Vice-President who shall act in the absence of the President and shall have such other powers and duties as may be conferred on him by the Board.

Powers and duties of President

(3) The President shall be the chief executive officer of the University and, subject to the will of the Board, has supervision over and direction of the academic work and general administration of the University and the teaching staff thereof, and the officers and servants thereof, and the students thereof, and also has such other powers and duties as from time to time may be conferred upon or assigned to him by the Board.

Property

R.S.O. 1950,
c. 184

12. The University has, in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive by gift, bequest or devise and to hold and enjoy any estate or property, whether real or personal, whatsoever and to sell, grant, convey, mortgage, hypothecate, pledge, charge, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require and to acquire other estate or property in addition thereto or in place thereof without licence in mortmain and without limitation as to the period of holding.

Trust property vested in University

13. All property heretofore or hereafter granted, conveyed, devised or bequeathed to any person in trust for or for the benefit of the University, or of any faculty, school or department thereof or otherwise in connection therewith, subject to any trust or trusts affecting the same, is vested in the University.

Tax exemption

14. The property vested in the University and any lands and premises leased to and occupied by the University is not liable to taxation for provincial, municipal or school purposes and is exempt from every description of taxation so long as the same are actually used and occupied for the purposes of the University.

15. Real property vested in the University is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose, and no power to expropriate real property hereafter conferred extends to such property unless in the Act conferring the power it is made in express terms to apply thereto. Property of University not liable to be expropriated

16. All property vested in the University shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public uses of Ontario. Application of statute of limitations

17. The property and income, revenues, issues and profits of all property of the University shall be applied solely to achieving the objects and purposes of the University. Application of property

18. The funds of the University not immediately required for its purposes and the proceeds of all property that come into the University, subject to any trusts or trust affecting the same, may be invested and re-invested in such investments as the Board deems meet. Investment of funds

19. The University, if authorized by by-law of the Board, may, Borrowing powers

- (a) borrow money on its credit in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the Board;
- (b) make, draw and endorse promissory notes or bills of exchange;
- (c) mortgage, hypothecate, pledge or charge any part or all of the property of the University to secure any money so borrowed or the fulfilment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) issue bonds, debentures and obligations on such terms and conditions as the Board may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide and mortgage, hypothecate, pledge or charge all or any part of the property of the University to secure any such bonds, debentures and obligations.

Power of
affiliation

20. The University has power and capacity to affiliate with, or take into affiliation or federate with, other universities, colleges and institutions of learning on such terms and for such periods of time as the Board may determine.

Proceedings
by or
against

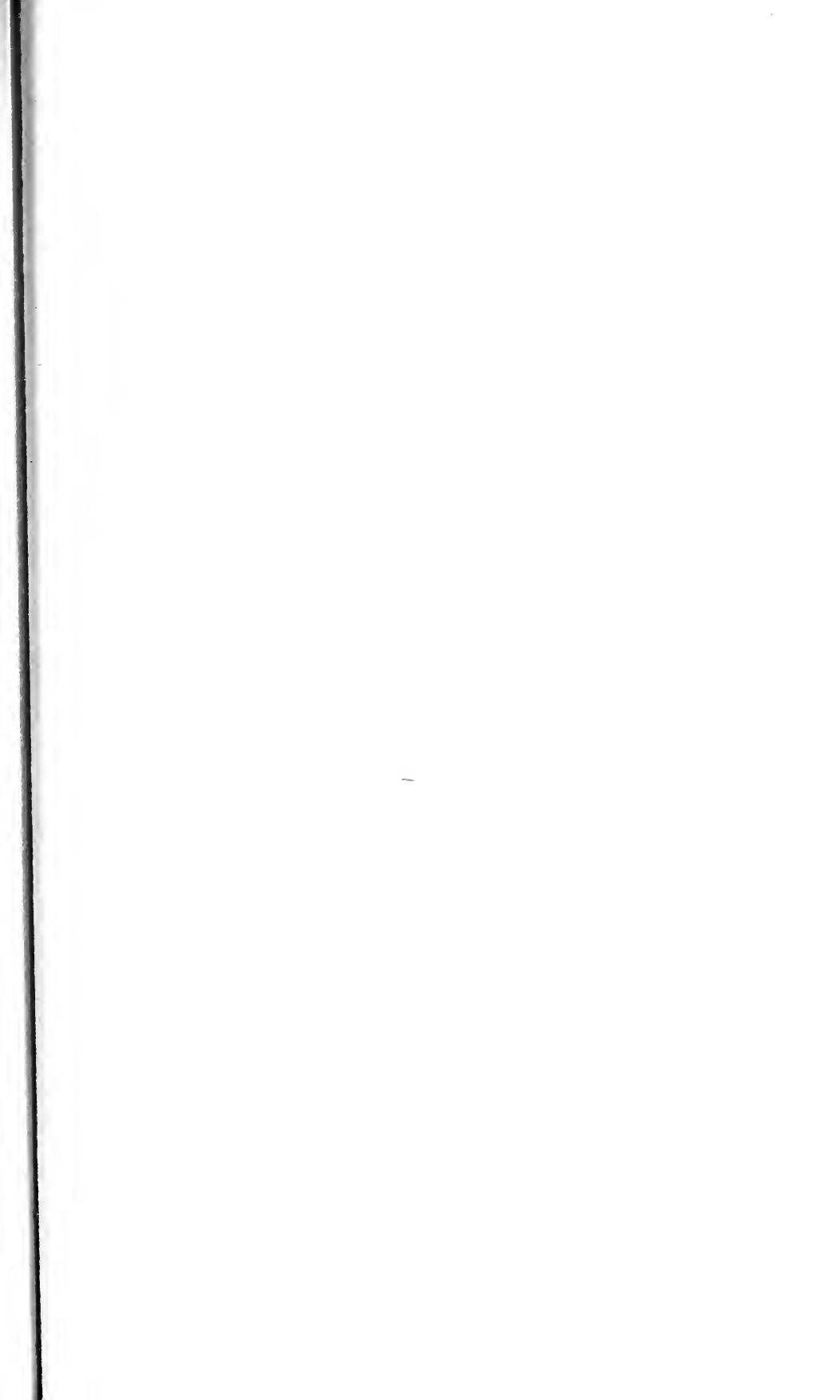
21. All proceedings by or against the University may be had and taken in the name of "The University of Lalemant College".

Commence-
ment

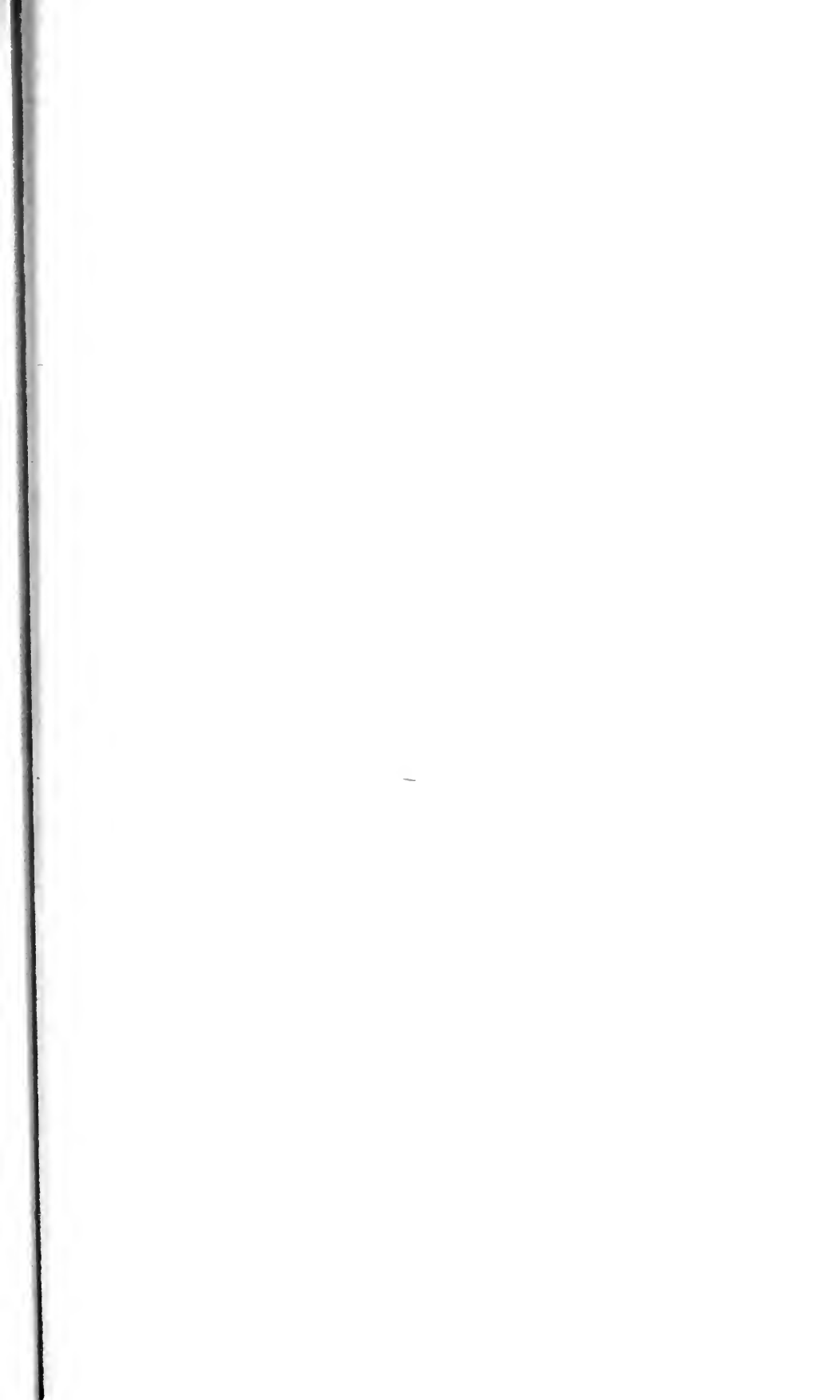
22. This Act comes into force on the day it receives Royal Assent.

Short title

23. This Act may be cited as *The University of Lalemant College Act, 1960*.







BILL P45

An Act to incorporate The University of Lalemant College

1st Reading

February 11th, 1960

2nd Reading

March 3rd, 1960

3rd Reading

March 8th, 1960

MR. BELISLE

1960



BILL Pr46

1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960

An Act to incorporate Laurentian University of Sudbury

MR. BELISLE

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY



BILL Pr46

1960

An Act to incorporate Laurentian University of Sudbury

WHEREAS The University of Sudbury, The United Church of Canada and The Incorporated Synod of the Diocese of Algoma (Anglican) by their petition have represented that they are desirous of establishing in the Province of Ontario, at or near the City of Sudbury, a non-denominational bilingual institution to provide facilities for instruction in all branches of higher learning having the rights and powers of a university; and whereas the petitioners have prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "affiliated college" means a college affiliated with the University;
- (b) "Board" means the Board of Governors of Laurentian University of Sudbury;
- (c) "college" means a school or other institution of higher learning;
- (d) "federated college" means a university or college federated with the University;
- (e) "property" includes all property, both real and personal;
- (f) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate and interest therein;

(g) "Senate" means the Senate of the University;

(h) "University" means the Laurentian University of Sudbury.

Laurentian
University
of Sudbury
incorporated

2. Ralph Douglas Parker, Robert James Askin, Benjamin Franklin Avery, Harold Bennett, Robert Campeau, William Stanley Cole, Jean Noel Desmarais, Ernest Cecil Facer, Horace John Fraser, Donald Leslie James, Nigel Mordaunt Kensit, Joseph Armand Lapalme, John Williams McBean, James Wesley McNutt, James Richard Meakes, George Merle Miller, Alibert St. Aubin, Adjutor Joseph Samson, George Clement Tate, and such other persons who may hereafter be appointed or elected President or a member of the Board or a member of the Senate or upon whom the University may confer a degree, are hereby created a body corporate with perpetual succession and a common seal under the name of "Laurentian University of Sudbury".

Objects and
purposes

3. The objects and purposes of the University are,

- (a) the advancement of learning and the dissemination of knowledge; and
- (b) the intellectual, social, moral and physical development of its members and the betterment of society.

Powers:

4. The University has university powers, including the power,

establish
courses

- (a) to establish and maintain, in either or both of the French and English languages, such faculties, schools, institutes, departments and chairs as determined by the Board, other than those already established by The University of Sudbury, which faculties, schools, institutes, departments and chairs are continued in the non-denominational University College of Laurentian University of Sudbury under authority of the Board and Senate;

degrees

- (b) to confer university degrees, honorary degrees, awards and diplomas in any and all branches of learning, except in Theology;

federation

- (c) to permit federation or affiliation of other colleges or universities with the University and to make agreements of federation or affiliation with other colleges or universities, provided that Hearst College and Prince Albert College, presently affiliated with The University of Sudbury, may enter into agreements to affiliate with the University;

- (d) to admit church-related universities or colleges into ^{federation of church-related colleges} federation as colleges of the Faculty of Arts and Sciences, which church-related universities or colleges have the right to give instruction in Philosophy and Religious Knowledge and in such other subjects as may from time to time be approved by the Faculty of Arts and Sciences of University College, and be consented to by the Senate and Board; and the University shall accept such courses in partial fulfilment of the requirements for a degree, under the same academic terms and conditions as would obtain if the instruction were given in University College;
- (e) in addition to the powers, rights and privileges ^{University property} mentioned in section 27 of *The Interpretation Act*, ^{R.S.O. 1950, c. 184} to purchase or otherwise acquire, take or receive by deed, gift, bequest or devise and to hold and enjoy any estate or property whatsoever and to sell, grant, convey, mortgage, hypothecate, pledge, charge, lease or otherwise dispose of the same or any part thereof from time to time as occasion may require and to acquire other estate and property in addition thereto without licence in mortmain and without limitation as to the period of holding;
- (f) without the consent of the owner or of any person ^{expropriation} interested therein, other than a municipal corporation, to enter upon, take, use and expropriate all such real property as it deems necessary for the purposes of the University, making due compensation for any such real property to the owners and occupiers thereof and all persons having an interest therein, and the provisions of *The Municipal Act* as ^{R.S.O. 1950, c. 243} to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation apply *mutatis mutandis* to the University and to the exercise by it of the powers conferred by this Act, and, where any act is by any of such provisions required to be done by the clerk of a municipality or at the office of such clerk, the like act shall be done by or at the office of the Treasurer of the University or by or at the office of such officer as may be appointed by the Board exercising the office of a treasurer;
- (g) if authorized by by-law of the Board, borrowing
- (i) to borrow money on its credit in such amount, on such terms and from such persons, firms

or corporations, including chartered banks, as may be determined by the Board,

- (ii) to make, draw and endorse promissory notes or bills of exchange,
- (iii) to hypothecate, pledge, charge or mortgage any or all of its property to secure any money so borrowed or the fulfilment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it,
- (iv) to issue bonds, debentures and obligations on such terms and conditions as the Board may decide and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide and hypothecate, pledge, charge or mortgage all or any part of the property of the University to secure any such bonds, debentures and obligations.

University
non-
denomina-
tional

5. The University shall be carried on as a Christian school of learning, but its management and control shall be non-denominational and no religious test shall be required of any professor, lecturer, teacher, officer, employee, servant or student of the University.

University
property

6. All property hereafter granted, conveyed, devised or bequeathed to, or to any person in trust for, or for the benefit of, the University, subject to any trust or trusts affecting the same, is vested in the University.

Land
vested in
University
not liable
to expro-
priation

7. Real property vested in the University is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose and no power to expropriate real property hereafter conferred extends to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

Proceedings

8. All proceedings by or against the University may be had and taken in the name of "Laurentian University of Sudbury".

Investment
of funds

9. The funds of the University not immediately required for its purposes and the proceeds of all property that come into the University, subject to any trust or trusts affecting the same, may be invested and re-invested in such investments as to the Board seems meet, and all property and revenue of

the University shall be applied for the attainment of the objects for which the University is constituted and to the payment of expenses to be incurred for objects legitimately connected with or depending on the purposes aforesaid.

10. Nothing herein contained has the effect of, or shall be construed to have the effect of, rendering all or any of the members or officers of the University, or any person whatsoever, individually liable or accountable for or by reason of any debt, contract or security incurred or entered into for or by reason of the University or for or on account or in respect of the University or for or on account or in respect of any matter or thing whatsoever relating to the University. Members and officers not individually liable for debts

11. Property vested in the University or in any federated college or property vested in both the University and one or more federated colleges, and any property leased to and occupied by the University or federated college, or leased to and occupied by the University and one or more federated colleges, are not liable for taxation for provincial, municipal or school purposes and are exempt from every description of such taxation so long as the same are actually used and occupied for the purposes of the University or of a federated college. Tax exemption

12. All property vested in the University shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public use of Ontario. Application of statute of limitations

13.—(1) Except as to such matters by this Act specifically assigned to the President, the Senate, University College and federated colleges, all powers over, in respect of or in relation to the government, financial management and control of the University and of its property, revenues, expenditures, employees or other personnel, business and affairs are vested in the Board under the name "Board of Governors of Laurentian University of Sudbury", and the Board has all powers necessary or convenient to perform its duties and achieve the objects and purposes of the University and, without limiting the generality of the foregoing, has the power, Management of University vested in Board

- (a) to appoint and dismiss the President and Vice-Presidents;
- (b) to appoint and dismiss, upon recommendation of the President, the heads and associate heads of the faculties and colleges, other than federated or affiliated colleges, of the University and the professors and other members of the teaching staff of the University, other than federated or affiliated colleges, provided

that all such appointments of the Board, other than appointments for not more than twelve months, shall be made from among such persons as may be recommended by the President, and to appoint all other officers, agents and servants of the University;

- (c) to determine the salaries and other emoluments of the officers, teachers, agents and servants of the University;
- (d) to appoint an executive committee of five members and to define its powers;
- (e) to make by-laws and regulations not inconsistent with the conduct of its affairs, pertaining to the meetings of the Board and its transactions, providing for the appointment of committees and for conferring upon any such committees authority to act for the Board with respect to any matter, but no decision of such a committee or any committee, which includes in its membership persons who are not members of the Board, is valid and effective until approved and ratified by the Board, unless the Board so provides.

Idem (2) By-laws do not require confirmation by the members of the University.

Quorum **14.** Seven members, not including the *ex officio* member, constitute a quorum of the Board.

Vacancies **15.** After thirty days notice to any member, the Board may, by resolution passed by at least two-thirds of the votes cast at a meeting of the Board, declare vacant the seat of such member.

Constitution of Board **16.** The persons named in section 2 together with five persons to be named by the Lieutenant Governor in Council and the President when appointed shall constitute the Board of Governors of the University.

Terms of office **17.** The members of the Board shall hold office as follows:

- (a) of the members mentioned in section 2, six shall hold office for a period of one year, six shall hold office for a period of two years, and seven shall hold office for a period of three years, and, as the term of any such member expires, the vacancy shall be filled by election by the Board and such election shall be for a period of three years;

- (b) as the term of any member of the Board expires, such member is eligible for re-election or re-appointment.

18. Except as otherwise provided in this Act, no principal ^{Eligibility} or head of any of the academic units of the University or of any federated or affiliated college, or any member of the teaching and administrative staff of the University or of any federated or affiliated college or any member of the staff, Board, Senate or governing body of any other degree-granting institution is eligible for appointment or election as a member of the Board.

19. Where a vacancy on the Board occurs before the term ^{Filling Vacancies} of office for which a member has been appointed or elected has expired, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, as the case may be, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership is vacant.

20.—(1) The Board shall elect one of its members to be chairman and one of its members to be vice-chairman and, ^{Chairman and vice-chairman} in case of the absence or illness of the chairman or of there being a vacancy in the office of the chairman, the vice-chairman shall act as and have all the powers of the chairman.

(2) In case of the absence or illness of the chairman and ^{Idem} the vice-chairman, the Board may appoint one of its members to act as chairman *pro tempore* and the member so appointed shall act as and have all the powers of chairman.

21. There shall be a Senate of the University composed of, ^{Composition of Senate}

- (a) the President *ex officio*, who shall be its chairman;
- (b) the Academic Vice-President, *ex officio*;
- (c) the principal or head of each federated and affiliated college;
- (d) the dean of each faculty or school of the University, and the heads of such faculties or colleges or schools admitted to University College;
- (e) the Librarian;
- (f) the Registrar of the University who shall be the secretary of the Senate;

- (g) the Director of the Extension Department of University College;
- (h) two full-time professors elected by each faculty or school or college of the University.

Eligibility
of members
of another
university

22. No person is eligible for appointment as a member of the Senate who is a member of a governing body or senate or faculty of any degree-granting university, college or institution of higher learning, other than the University and its federated and affiliated colleges.

Powers of
Senate

23. The Senate is responsible for the educational policy of the University and, with the approval of the Board in so far as the expenditure of funds and establishment of facilities are concerned, may create faculties, schools, institutes, departments, chairs or courses of instruction within the University, may create faculty councils to act as executive committees for the Senate to regulate the admission of the students, courses of study and requirements for graduation, may enact by-laws, regulating matters in this section referred to and may from time to time amend or replace any of its by-laws, and, without limiting the generality of the foregoing, the Senate has power,

- (a) to conduct examinations and appoint examiners;
- (b) to deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards;
- (c) to confer degrees of Bachelor, Master and Doctor in the several arts, sciences and faculties and all other degrees that may appropriately be conferred by a university, except degrees in Theology;
- (d) to confer honorary degrees with the concurrence of the Board;
- (e) to enact statutes.

Duties of
Senate

24. In addition to such other powers and duties as are expressly mentioned in this Act, the Senate shall,

- (a) provide for the regulation and conduct of its proceedings, including the determination of a quorum necessary for the transaction of business;
- (b) provide for the convening and conduct of such Convocations as may be requisite for the purposes set out in this Act;

- (c) recommend to the Board the federation of any college or affiliation of any college, the dissolution or suspension of any such federation or affiliation or the modification or alteration of the terms thereof;
- (d) consider and determine, on the recommendations of the respective faculty and school councils, the courses of study in all faculties and schools;
- (e) provide, if deemed necessary by the Senate, for an executive committee which shall act in the name and on behalf of the Senate whose constitution and powers shall be as the Senate may from time to time determine.

25. If any university or college is federated or affiliated with the University and has the right to grant degrees, such right, except for degrees in Theology, shall remain dormant during the time that such university or college remains federated or affiliated with the University. Suspension of degree-granting rights of federated colleges

26.—(1) There shall be a President of the University who shall be appointed by the Board and who, unless otherwise provided, shall hold office during the pleasure of the Board. Officers

(2) The President shall be the chief executive officer of the University and chairman of the Senate and shall have supervision over and direction of the academic work and general administration of the University and the teaching staff thereof, and the students thereof, and the officers and servants thereof, and also shall have such other powers and duties as may from time to time be conferred upon him by the Board. President

(3) The Board may appoint one or more Vice-Presidents who shall have such powers and duties as may be conferred upon or assigned to them by the Board. Vice-Presidents

27. The accounts of the University shall be audited at least once a year by an auditor or auditors appointed by the Board. Accounts

28. The University shall submit to the Lieutenant Governor in Council, upon request, the annual report of the University and such other reports as may be so requested from time to time. Financial reports

29. This Act comes into force on the day it receives Royal Assent. Commencement

30. This Act may be cited as *The Laurentian University of Sudbury Act, 1960*. Short title

BILL Pr46

**An Act to incorporate
Laurentian University of Sudbury**

1st Reading

February 11th, 1960

2nd Reading

3rd Reading

MR. BELISLE

(Private Bill)

BILL Pr46

**1ST SESSION, 26TH LEGISLATURE, ONTARIO
8-9 ELIZABETH II, 1960**

**An Act to incorporate
Laurentian University of Sudbury**

MR. BELISLE

**TORONTO
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY**



BILL Pr46

1960

An Act to incorporate Laurentian University of Sudbury

WHEREAS The University of Sudbury, The United Church of Canada and The Incorporated Synod of the Diocese of Algoma (Anglican) by their petition have represented that they are desirous of establishing in the Province of Ontario, at or near the City of Sudbury, a non-denominational bilingual institution to provide facilities for instruction in all branches of higher learning having the rights and powers of a university; and whereas the petitioners have prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Inter-
pre-
ta-
tion

- (a) "affiliated college" means a college affiliated with the University;
- (b) "Board" means the Board of Governors of Laurentian University of Sudbury;
- (c) "college" means a school or other institution of higher learning;
- (d) "federated college" means a university or college federated with the University;
- (e) "property" includes all property, both real and personal;
- (f) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate and interest therein;

(g) "Senate" means the Senate of the University;

(h) "University" means the Laurentian University of Sudbury.

Laurentian
University
of Sudbury
incorporated

2. Ralph Douglas Parker, Robert James Askin, Benjamin Franklin Avery, Harold Bennett, Robert Campeau, William Stanley Cole, Jean Noel Desmarais, Ernest Cecil Facer, Horace John Fraser, Donald Leslie James, Nigel Mordaunt Kensit, Joseph Armand Lapalme, John Williams McBean, James Wesley McNutt, James Richard Meakes, George Merle Miller, Alibert St. Aubin, Adjutor Joseph Samson, George Clement Tate, and such other persons who may hereafter be appointed or elected President or a member of the Board or a member of the Senate or upon whom the University may confer a degree, are hereby created a body corporate with perpetual succession and a common seal under the name of "Laurentian University of Sudbury".

Objects and
purposes

3. The objects and purposes of the University are,

- (a) the advancement of learning and the dissemination of knowledge; and
- (b) the intellectual, social, moral and physical development of its members and the betterment of society.

Powers:

4. The University has university powers, including the power,

establish
courses

- (a) to establish and maintain, in either or both of the French and English languages, such faculties, schools, institutes, departments and chairs as determined by the Board, other than those already established by The University of Sudbury, which faculties, schools, institutes, departments and chairs are continued in the non-denominational University College of Laurentian University of Sudbury under authority of the Board and Senate;

degrees

- (b) to confer university degrees, honorary degrees, awards and diplomas in any and all branches of learning, except in Theology;

federation

- (c) to permit federation or affiliation of other colleges or universities with the University and to make agreements of federation or affiliation with other colleges or universities, provided that Hearst College and Prince Albert College, presently affiliated with The University of Sudbury, may enter into agreements to affiliate with the University;

- (d) to admit church-related universities or colleges into federation of church-related colleges as colleges of the Faculty of Arts and Sciences, which church-related universities or colleges have the right to give instruction in Philosophy and Religious Knowledge and in such other subjects as may from time to time be approved by the Faculty of Arts and Sciences of University College, and be consented to by the Senate and Board; and the University shall accept such courses in partial fulfilment of the requirements for a degree, under the same academic terms and conditions as would obtain if the instruction were given in University College;
- (e) in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*,^{University property R.S.O. 1950, c. 184} to purchase or otherwise acquire, take or receive by deed, gift, bequest or devise and to hold and enjoy any estate or property whatsoever and to sell, grant, convey, mortgage, hypothecate, pledge, charge, lease or otherwise dispose of the same or any part thereof from time to time as occasion may require and to acquire other estate and property in addition thereto without licence in mortmain and without limitation as to the period of holding;
- (f) without the consent of the owner or of any person interested therein, other than a municipal corporation, to enter upon, take, use and expropriate all such real property as it deems necessary for the purposes of the University, making due compensation for any such real property to the owners and occupiers thereof and all persons having an interest therein, and the provisions of *The Municipal Act* as^{expropriation R.S.O. 1950, c. 243} to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation apply *mutatis mutandis* to the University and to the exercise by it of the powers conferred by this Act, and, where any act is by any of such provisions required to be done by the clerk of a municipality or at the office of such clerk, the like act shall be done by or at the office of the Treasurer of the University or by or at the office of such officer as may be appointed by the Board exercising the office of a treasurer;
- (g) if authorized by by-law of the Board,
- (i) to borrow money on its credit in such amount, on such terms and from such persons, firms

borrowing

or corporations, including chartered banks, as may be determined by the Board,

- (ii) to make, draw and endorse promissory notes or bills of exchange,
- (iii) to hypothecate, pledge, charge or mortgage any or all of its property to secure any money so borrowed or the fulfilment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it,
- (iv) to issue bonds, debentures and obligations on such terms and conditions as the Board may decide and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide and hypothecate, pledge, charge or mortgage all or any part of the property of the University to secure any such bonds, debentures and obligations.

University
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denomina-
tional

5. The University shall be carried on as a Christian school of learning, but its management and control shall be non-denominational and no religious test shall be required of any professor, lecturer, teacher, officer, employee, servant or student of the University.

University
property

6. All property hereafter granted, conveyed, devised or bequeathed to, or to any person in trust for, or for the benefit of, the University, subject to any trust or trusts affecting the same, is vested in the University.

Land
vested in
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riation

7. Real property vested in the University is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose and no power to expropriate real property hereafter conferred extends to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

Proceedings

8. All proceedings by or against the University may be had and taken in the name of "Laurentian University of Sudbury".

Investment
of funds

9. The funds of the University not immediately required for its purposes and the proceeds of all property that come into the University, subject to any trust or trusts affecting the same, may be invested and re-invested in such investments as to the Board seems meet, and all property and revenue of

the University shall be applied for the attainment of the objects for which the University is constituted and to the payment of expenses to be incurred for objects legitimately connected with or depending on the purposes aforesaid.

10. Nothing herein contained has the effect of, or shall be construed to have the effect of, rendering all or any of the members or officers of the University, or any person whatsoever, individually liable or accountable for or by reason of any debt, contract or security incurred or entered into for or by reason of the University or for or on account or in respect of the University or for or on account or in respect of any matter or thing whatsoever relating to the University. Members and officers not individually liable for debts

11. Property vested in the University or in any federated college or property vested in both the University and one or more federated colleges, and any property leased to and occupied by the University or federated college, or leased to and occupied by the University and one or more federated colleges, are not liable for taxation for provincial, municipal or school purposes and are exempt from every description of such taxation so long as the same are actually used and occupied for the purposes of the University or of a federated college. Tax exemption

12. All property vested in the University shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public use of Ontario. Application of statute of limitations

13.—(1) Except as to such matters by this Act specifically assigned to the President, the Senate, University College and federated colleges, all powers over, in respect of or in relation to the government, financial management and control of the University and of its property, revenues, expenditures, employees or other personnel, business and affairs are vested in the Board under the name "Board of Governors of Laurentian University of Sudbury", and the Board has all powers necessary or convenient to perform its duties and achieve the objects and purposes of the University and, without limiting the generality of the foregoing, has the power, Management of University vested in Board

- (a) to appoint and dismiss the President and Vice-Presidents;
- (b) to appoint and dismiss, upon recommendation of the President, the heads and associate heads of the faculties and colleges, other than federated or affiliated colleges, of the University and the professors and other members of the teaching staff of the University, other than federated or affiliated colleges, provided

that all such appointments of the Board, other than appointments for not more than twelve months, shall be made from among such persons as may be recommended by the President, and to appoint all other officers, agents and servants of the University;

- (c) to determine the salaries and other emoluments of the officers, teachers, agents and servants of the University;
- (d) to appoint an executive committee of five members and to define its powers;
- (e) to make by-laws and regulations not inconsistent with the conduct of its affairs, pertaining to the meetings of the Board and its transactions, providing for the appointment of committees and for conferring upon any such committees authority to act for the Board with respect to any matter, but no decision of such a committee or any committee, which includes in its membership persons who are not members of the Board, is valid and effective until approved and ratified by the Board, unless the Board so provides.

Idem

(2) By-laws do not require confirmation by the members of the University.

Quorum

14. Seven members, not including the *ex officio* member, constitute a quorum of the Board.

Vacancies

15. After thirty days notice to any member, the Board may, by resolution passed by at least two-thirds of the votes cast at a meeting of the Board, declare vacant the seat of such member.

Constitution
of Board

16. The persons named in section 2 together with five persons to be named by the Lieutenant Governor in Council and the President when appointed shall constitute the Board of Governors of the University.

Terms of
office

17. The members of the Board shall hold office as follows:

- (a) of the members mentioned in section 2, six shall hold office for a period of one year, six shall hold office for a period of two years, and seven shall hold office for a period of three years, and, as the term of any such member expires, the vacancy shall be filled by election by the Board and such election shall be for a period of three years;

- (b) as the term of any member of the Board expires, such member is eligible for re-election or re-appointment.

18. Except as otherwise provided in this Act, no principal or head of any of the academic units of the University or of any federated or affiliated college, or any member of the teaching and administrative staff of the University or of any federated or affiliated college or any member of the staff, Board, Senate or governing body of any other degree-granting institution is eligible for appointment or election as a member of the Board. ^{Eligibility}

19. Where a vacancy on the Board occurs before the term of office for which a member has been appointed or elected has expired, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, as the case may be, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership is vacant. ^{Filling Vacancies}

20.—(1) The Board shall elect one of its members to be chairman and one of its members to be vice-chairman and, in case of the absence or illness of the chairman or of there being a vacancy in the office of the chairman, the vice-chairman shall act as and have all the powers of the chairman. ^{Chairman and vice-chairman}

(2) In case of the absence or illness of the chairman and the vice-chairman, the Board may appoint one of its members to act as chairman *pro tempore* and the member so appointed shall act as and have all the powers of chairman. ^{Idem}

21. There shall be a Senate of the University composed of, ^{Composition of Senate}

- (a) the President *ex officio*, who shall be its chairman;
- (b) the Academic Vice-President, *ex officio*;
- (c) the principal or head of each federated and affiliated college;
- (d) the dean of each faculty or school of the University, and the heads of such faculties or colleges or schools admitted to University College;
- (e) the Librarian;
- (f) the Registrar of the University who shall be the secretary of the Senate;

- (g) the Director of the Extension Department of University College;
- (h) two full-time professors elected by each faculty or school or college of the University.

Eligibility
of members
of another
university

22. No person is eligible for appointment as a member of the Senate who is a member of a governing body or senate or faculty of any degree-granting university, college or institution of higher learning, other than the University and its federated and affiliated colleges.

Powers of
Senate

23. The Senate is responsible for the educational policy of the University and, with the approval of the Board in so far as the expenditure of funds and establishment of facilities are concerned, may create faculties, schools, institutes, departments, chairs or courses of instruction within the University, may create faculty councils to act as executive committees for the Senate to regulate the admission of the students, courses of study and requirements for graduation, may enact by-laws, regulating matters in this section referred to and may from time to time amend or replace any of its by-laws, and, without limiting the generality of the foregoing, the Senate has power,

- (a) to conduct examinations and appoint examiners;
- (b) to deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards;
- (c) to confer degrees of Bachelor, Master and Doctor in the several arts, sciences and faculties and all other degrees that may appropriately be conferred by a university, except degrees in Theology;
- (d) to confer honorary degrees with the concurrence of the Board;
- (e) to enact statutes.

Duties of
Senate

24. In addition to such other powers and duties as are expressly mentioned in this Act, the Senate shall,

- (a) provide for the regulation and conduct of its proceedings, including the determination of a quorum necessary for the transaction of business;
- (b) provide for the convening and conduct of such Convocations as may be requisite for the purposes set out in this Act;

- (c) recommend to the Board the federation of any college or affiliation of any college, the dissolution or suspension of any such federation or affiliation or the modification or alteration of the terms thereof;
- (d) consider and determine, on the recommendations of the respective faculty and school councils, the courses of study in all faculties and schools;
- (e) provide, if deemed necessary by the Senate, for an executive committee which shall act in the name and on behalf of the Senate whose constitution and powers shall be as the Senate may from time to time determine.

25. If any university or college is federated or affiliated with the University and has the right to grant degrees, such right, except for degrees in Theology, shall remain dormant during the time that such university or college remains federated or affiliated with the University. Suspension of degree-granting rights of federated colleges

26.—(1) There shall be a President of the University who shall be appointed by the Board and who, unless otherwise provided, shall hold office during the pleasure of the Board. Officers

(2) The President shall be the chief executive officer of the University and chairman of the Senate and shall have supervision over and direction of the academic work and general administration of the University and the teaching staff thereof, and the students thereof, and the officers and servants thereof, and also shall have such other powers and duties as may from time to time be conferred upon him by the Board. President

(3) The Board may appoint one or more Vice-Presidents who shall have such powers and duties as may be conferred upon or assigned to them by the Board. Vice-Presidents

27. The accounts of the University shall be audited at least once a year by an auditor or auditors appointed by the Board. Accounts

28. The University shall submit to the Lieutenant Governor in Council, upon request, the annual report of the University and such other reports as may be so requested from time to time. Financial reports

29. This Act comes into force on the day it receives Royal Assent. Commencement

30. This Act may be cited as *The Laurentian University of Sudbury Act, 1960*. Short title

An Act to incorporate
Laurentian University of Sudbury

1st Reading

February 11th, 1960

2nd Reading

March 3rd, 1960

3rd Reading

March 8th, 1960

MR. BELISLE





